Los Angeles County Sheriff's Department

Officer Involved Shooting

Report Date: 08-09-2014	Bureau/Station/Facility: Transit Policing Division/ Transit Bureau South	Admin. Invest.? [ ] Hit? [x]

Incident Information

URN: 014-04318-6835-013	Date: 08-09-2014 Time: 0412 Hours
City or Station: Los Angeles	Nature of Incident: A deputy involved shooting occurred during a pedestrian stop after the suspect shot a TBS deputy and fled on foot. Another shooting occurred after the suspect pointed a gun at SEB deputies.
Location: 7700 Pacific Boulevard, Walnut Park, California 90255	

Location Type (check one or more):
- [x] Backyard
- [ ] Beach
- [x] Business
- [ ] Freeway
- [ ] Industrial
- [ ] Park
- [ ] Parking Lot
- [ ] Residence
- [ ] Rural
- [ ] School
- [x] Street
- Other: ______

Lighting (check only one):
- [x] Darkness
- [ ] Daylight
- [ ] Other
- [ ] Street Lights

Weather (circle only one):
- [x] Clear
- [ ] Cloudy
- [ ] Fog
- [ ] Rain

Distance: (TBS)-10 feet, 7-10 feet

Incident Type (check one or more):
- [ ] Accidental
- [x] Armed Person
- [x] Fleeing Suspect
- [x] Foot Pursuit
- [ ] Gun Take Away
- [ ] Moving Vehicle
- [ ] Sniper/Ambush
- [ ] Startle
- [x] Struggle Involved
- [ ] Traffic Stop
- [ ] Unarmed Person
- [ ] Unintentional
- [ ] Vehicle Pursuit
- [ ] Warrant Service
- [ ] Warning Shot
- Other: ______

Initiated by (check only one):
- [ ] Arrest Warrant
- [ ] Call
- [x] Observation
- [ ] One Person Unit
- [ ] Other
- [ ] Search Warrant
- [ ] Two Person Unit

Prior Activity (check only one):
- [ ] Detective
- [ ] Inmate Transport
- [ ] Other
- [x] Routine Patrol

Total # of Shots Fired by Deputy	Total # of Shots Fired by Suspect	Aero Unit?	Canine Unit?
6	9	[x]	[x]

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (check only one)	ShiftType (check only one)
[redacted]	[redacted]	[redacted]	[redacted]	[ ] EM [ ] PM [x] Day	[x] Regular [ ] Overtime [ ] Off Duty
[redacted]	[redacted]	[redacted]	[redacted]	[ ] EM [ ] PM [x] Day	[x] Regular [ ] Overtime [ ] Off Duty
[redacted]	Toone	Andrew	M.	[ ] EM [ ] PM [x] Day	[x] Regular [ ] Overtime [ ] Off Duty

Non-Employee Witnesses

Last Name	Street Address	City	Zip Code	First Name	M.I.	Work Ph	Home Ph
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]		[redacted]	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	Tino		[redacted]	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]		[redacted]	[redacted]

Supervisors

Employee #	Last Name	First Name	M.I.	(check one or more)
[redacted]	Saenz	Henry	R.	[x] On Duty [ ] Present during shooting [ ] Witness to shooting [ ] Involved in shooting
[redacted]	Chase	Bruce	D.	[x] On Duty [ ] Present during shooting [ ] Witness to shooting [ ] Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	O'Bannon	La Shon	D.

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	[redacted]	[redacted]	[redacted]

PSTD Use Only
SH # ______

Officer Involved Shooting

JRN: 014-04318-6835-013

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
08/09/2014	0640 Hours	09-04-2015	

Employee #	Last Name	First Name	M.I.
[redacted]	Weber	Todd	P.
[redacted]	Gibson	Brenda	L.
[redacted]	Grote	Dinah	L.

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(SS) SIG Sauer
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
S# 1	E# 1	UC						
S# 1	E# 1	RS						
E# 1	S# 1	TR					NN	AD
S# 1	E# 1	FH	CO	35			GS	AR
E# 1	S# 1	FH	BR	9	Y	Y	NN	
S# 1	E# 2	UC						
S# 1	E# 2	RS						
S# 1	E #2	FH	CO	35				
E# 2	S# 1	FH	SW	9	Y	Y	DH	HE

Officer Involved Shooting
Involved Employee Information

URN: 014-04318-6835-013

Involved Employee

E 1

Employee #: [redacted]	Last Name: Butts	First Name: Gary	M.I.: D.
Sex: M Race: B	Rank: Deputy Sheriff	Unit Assignment: Transit Bureau South	Work Assignment (Unit #, Module, etc.): 685A
ShiftTime (*circle only one*): ☑ EM ☐ PM ☐ Day	ShiftType (*circle only one*): ☑ Regular ☐ Overtime ☐ Off Duty	Intoxication/Drug Usage? ☐	Substance Used: N/A
Hospital Admission? ☐	Hospital Name: Saint Frances	Coroner Case? ☐	Coroner Case #: N/A — Interviewed? ☑
Hrs of sleep prior to shooting: 9	Duty Time (hrs): [redacted] hours	Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Plain Clothes w/ Vest ☐ Raid Jacket no Vest ☐ Raid Jacket w/ Vest ☐ Uniform no Vest ☑ Uniform w/ Vest	Other Factors:
Age: [redacted] Height: 507	Weight: 175		
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [redacted] Number of Prior Shootings: [redacted] Directed Force: [redacted]
Weapons Fired Brand: Beretta	Caliber: 9mm	# Shots: 5	Weapons Fired Brand: Caliber: # Shots:
Field Training Officer Emp #: [redacted]	Last Name: [redacted]	First Name: [redacted]	M.I.: [redacted]
Field Training Officer Emp #: [redacted]	Last Name: [redacted]	First Name: [redacted]	M.I.: [redacted]

E 2

Employee #: [redacted]	Last Name: Salazar	First Name: Edson	M.I.:
Sex: M Race: H	Rank: Deputy Sheriff	Unit Assignment: SEB	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): ☐ EM ☐ PM ☑ Day	ShiftType (*circle only one*): ☑ Regular ☐ Overtime ☐ Off Duty	Intoxication/Drug Usage? ☐	Substance Used: N/A
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: N/A — Interviewed? ☑
Hrs of sleep prior to shooting: 6-8	Duty Time (hrs): Flexible	Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Plain Clothes w/ Vest ☐ Raid Jacket no Vest ☐ Raid Jacket w/ Vest ☐ Uniform no Vest ☑ Uniform w/ Vest	Other Factors:
Age: [redacted] Height: 511	Weight: 190		
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? ☑ Number of Prior Shootings: 2 Directed Force: [redacted]
Weapons Fired Brand: Smith & Wesson	Caliber: 9mm	# Shots: 1	Weapons Fired Brand: Caliber: # Shots:
Field Training Officer Emp #: [redacted]	Last Name: [redacted]	First Name: [redacted]	M.I.: [redacted]
Field Training Officer Emp #: [redacted]	Last Name: [redacted]	First Name: [redacted]	M.I.: [redacted]

E

Employee #:	Last Name:	First Name:	M.I.:
Sex: Race:	Rank:	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): ☐ EM ☐ PM ☐ Day	ShiftType (*circle only one*): ☐ Regular ☐ Overtime ☐ Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: — Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Plain Clothes w/ Vest ☐ Raid Jacket no Vest ☐ Raid Jacket w/ Vest ☐ Uniform no Vest ☐ Uniform w/ Vest	Other Factors:
Age: Height:	Weight:		
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ Number of Prior Shootings: Directed Force: ☐
Weapons Fired Brand:	Caliber:	# Shots:	Weapons Fired Brand: Caliber: # Shots:
Field Training Officer Emp #:	Last Name:	First Name:	M.I.:
Field Training Officer Emp #:	Last Name:	First Name:	M.I.:

Officer Involved Shooting Suspect Information

URN: 014-04318-6835-013

Suspect Information

S 1

Last Name: Morales		First Name: Alberto	M.I.: C.
AKA Last Name:		First Name:	M.I.:
Sex: M Race: Hispanic	Street Address: [redacted]	City: [redacted]	State & Zip Code: [redacted] [redacted]
Work Phone: N/A	Home Phone:	Social Security #: [redacted]	Driver's License #: [redacted]
Age: 40 D.O.B. 06/30/1973	Height: 507 Weight: 185	FBI #: [redacted]	CII #: [redacted]
Booking #: N/A	Primary Charge: Assault with a Deadly Weapon on a PO	Secondary Charge:	
Coroner Case? ☑	Coroner Case #: 2014-05498	Intoxication/Drug Usage? ☑	Substance Used: Methamphetamine, Marijuana
Armed? ☑	Apprehended? ☑	Mental Illness? ☐	Criminal History? ☑
Vehicle Make: N/A		Model:	Year:

S

Last Name:		First Name:	M.I.:
AKA Last Name:		First Name:	M.I.:
Sex: Race:	Street Address:	City:	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #:	CII #:
Booking #:	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #:	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make:		Model:	Year:

S

Last Name:		First Name:	M.I.:
AKA Last Name:		First Name:	M.I.:
Sex: Race:	Street Address:	City:	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #:	CII #:
Booking #:	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #:	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make:		Model:	Year:

S

Last Name:		First Name:	M.I.:
AKA Last Name:		First Name:	M.I.:
Sex: Race:	Street Address:	City:	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #:	CII #:
Booking #:	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #:	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make:		Model:	Year:

SUPPLEMENTAL EMPLOYEE WITNESSES
Los Angeles County Sheriff's Department

Employee Witnesses

Last Name	First Name	M.I.	Street Address	Zip Code	Work Ph	Home Ph
Stoll	Adam	F.	[redacted]	[redacted]	[redacted]	N/A
Phillippi	Jason	H.	[redacted]	[redacted]	[redacted]	N/A
Granek	Michael	R.	[redacted]	[redacted]	[redacted]	N/A
O'Hara	John	J.	[redacted]	[redacted]	[redacted]	N/A

Los Angeles County Sheriff's Department

Supervisor's Report on Use of Force

Incident Information

URN: 014-04318-6835-013		Date: 08/09/14	Time: 0412 hours
Location: 7700 Pacific Boulevard		City or Station: Walnut Park	
Bureau/Station/Facility: Countywide Services/ Transit Bureau South		Admin. Investigation: ( ) YES (●) NO	
Type of Force: TASER, Takedown, Control Holds			
Incident Category: ( ) 1 ( ) 2 (●) 3	Deputy Injury: (●) YES ( ) NO	Suspect Injury (●) YES ( ) NO	
[ ] Call	[X] Observation	[ ] Detail	[X] Foot Pursuit [ ] Vehicle Pursuit
IAB Notified: (●) YES ( ) NO	Person Notified: Lt. Todd Weber	Emp: [redacted]	IAB Roll Out (●) YES ( ) NO

Involved Employee

E 1

Employee #: [redacted]	Last Name: Butts	First Name: Gary	Middle I.: D.	Rank: DSG	
Sex: (●) M ( ) F	Race: B	Height: 507	Weight: 175	Age: [redacted]	Shift: (●) EM ( ) Day ( ) PM — (●) Regular Shift ( ) OT Shift ( ) Off Duty
Unit of Assignment: Transit Bureau South		Work Assignment (Unit #, Module, etc.): 685A			
Individual Force Used: TASER, Firearm (Handgun)		( ) Directed ( ) Rescue ( ) Medical Assist		Individual Category ( ) 1 ( ) 2 (●) 3	
[X] Injured [X] Treated [ ] Admitted		Facility: Saint Frances Medical Center		Coroner Case #	

E 2

Employee #: [redacted]	Last Name: Salazar	First Name: Edson	Middle I.:	Rank: B-1	
Sex: (●) M ( ) F	Race: H	Height: 511	Weight: 190	Age: [redacted]	Shift: ( ) EM (●) Day ( ) PM — (●) Regular Shift ( ) OT Shift ( ) Off Duty
Unit of Assignment: Special Enforcement Bureau		Work Assignment (Unit #, Module, etc.): Gold Team			
Individual Force Used: Personal Weapon (Hand), Team Takedown, Handgun		( ) Directed ( ) Rescue ( ) Medical Assist		Individual Category ( ) 1 ( ) 2 (●) 3	
[ ] Injured [ ] Treated [ ] Admitted		Facility:		Coroner Case #	

E 3

Employee #: [redacted]	Last Name: [redacted]	First Name: [redacted]	Middle I.: [redacted]	Rank: [redacted]	
Sex: [redacted]	Race: [redacted]	Height: [redacted]	Weight: [redacted]	Age: [redacted]	Shift: ( ) EM (●) Day ( ) PM — (●) Regular Shift ( ) OT Shift ( ) Off Duty
Unit of Assignment: Special Enforcement Bureau		Work Assignment (Unit #, Module, etc.): K-9			
Individual Force Used: Canine, Personal Weapon (Hand), Team Takedown		( ) Directed ( ) Rescue ( ) Medical Assist		Individual Category ( ) 1 ( ) 2 (●) 3	
[ ] Injured [ ] Treated [ ] Admitted		Facility:		Coroner Case #	

On Duty Supervisor

[ ] Additional Involved Employees

Emp. #	Last Name	First Name	Middle I.	Rank	Present	Witness to Incident
[redacted]	Saenz	Henry	R.	SGT.	YES ( ) NO (●)	YES ( ) NO (●)

Supervisor Completing Investigation

Emp. #	Last Name	First Name	Middle I.	Rank	Present	Witness to Incident
[redacted]	Gibson	Brenda	L.	SGT.	YES ( ) NO (●)	YES ( ) NO (●)

Watch Commander / Supervising Lieutenant

Emp. #	Last Name	First Name	Middle I.	Rank
[redacted]	[redacted]	[redacted]	[redacted]	LT.

Watch Commander / Supervising Lieutenant's **Signature**: ______ Date ______ Copy Provided to Employee by: ______ Emp #: ______

Unit Commander **(Print Name)** ______ Unit Commander's **Signature**: ______ Emp #: ______ Date ______

DISCOVERY Use Only
FO#

[ ] PPI REVIEW COMPLETED

Original: Discovery Unit
Copy: Unit Commander

Supervisor's Report on Use of Force
INVOLVED EMPLOYEE - Continuation

014 - 04318 - 6835 - 013

Involved Employee

E4

Employee #	Last Name	First Name	Middle I.	Rank
[redacted]	[redacted]	[redacted]	[redacted]	B-1

Sex:	Race:	Height:	Weight:	Age:	Shift:	
(●) M ( ) F	B	604	225	[redacted]	( ) EM (●) Day ( ) PM	(●) Regular Shift ( ) OT Shift ( ) Off Duty

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
Special Enforcement Bureau	Tan Team

Individual Force Used:		Individual Category
Team Takedown	( ) Directed ( ) Rescue ( ) Medical Assist	(●) 1 ( ) 2 ( ) 3

☐ Injured ☐ Treated ☐ Admitted Facility: ____________ Coroner Case #

E_

Employee #	Last Name	First Name	Middle I.	Rank

Sex:	Race:	Height:	Weight:	Age:	Shift:	
( ) M ( ) F					( ) EM ( ) Day ( ) PM	( ) Regular Shift ( ) OT Shift ( ) Off Duty

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):

Individual Force Used:		Individual Category
	( ) Directed ( ) Rescue ( ) Medical Assist	( ) 1 ( ) 2 ( ) 3

☐ Injured ☐ Treated ☐ Admitted Facility: ____________ Coroner Case #

E_

Employee #	Last Name	First Name	Middle I.	Rank

Sex:	Race:	Height:	Weight:	Age:	Shift:	
( ) M ( ) F					( ) EM ( ) Day ( ) PM	( ) Regular Shift ( ) OT Shift ( ) Off Duty

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):

Individual Force Used:		Individual Category
	( ) Directed ( ) Rescue ( ) Medical Assist	( ) 1 ( ) 2 ( ) 3

☐ Injured ☐ Treated ☐ Admitted Facility: ____________ Coroner Case #

E_

Employee #	Last Name	First Name	Middle I.	Rank

Sex:	Race:	Height:	Weight:	Age:	Shift:	
( ) M ( ) F					( ) EM ( ) Day ( ) PM	( ) Regular Shift ( ) OT Shift ( ) Off Duty

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):

Individual Force Used:		Individual Category
	( ) Directed ( ) Rescue ( ) Medical Assist	( ) 1 ( ) 2 ( ) 3

☐ Injured ☐ Treated ☐ Admitted Facility: ____________ Coroner Case #

E_

Employee #	Last Name	First Name	Middle I.	Rank

Sex:	Race:	Height:	Weight:	Age:	Shift:	
( ) M ( ) F					( ) EM ( ) Day ( ) PM	( ) Regular Shift ( ) OT Shift ( ) Off Duty

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):

Individual Force Used:		Individual Category
	( ) Directed ( ) Rescue ( ) Medical Assist	( ) 1 ( ) 2 ( ) 3

☐ Injured ☐ Treated ☐ Admitted Facility: ____________ Coroner Case #

Supervisor's Report on Use of Force
SUSPECT INFORMATION

014 - 04318 - 6835 - 013

Suspect Information

S 1

Last Name	First Name	Middle Name	Armed? Select
Morales	Alberto	Cornelio	Firearm (Handgun)

AKA Last Name: | First Name: | Middle Name:

Sex:	Race:	Age:	Height:	Weight	D.O.B:	Phone #1: ○ H ○ W ○ C	Phone #2: ○ H ○ W ○ C
◉ Male ○ Female	H	40	507	185	06/30/73	N/A	

Street Address: [redacted] | City: [redacted] | State & Zip Code: [redacted]

Booking #: N/A | Primary Charge Code: 245(c) P.C. | Secondary Charge Code: | ☒ Criminal History

Treated on Scene? ○ YES ◉ NO | Name: | Unit: | Phone #:

Hospital Admission? ☐ | Rec'd Treatment At: | Coroner Case #: 14-05498 | Mental History ☐ User's guide provides direction on this entry

By: | Address: | Phone #:

Under Influence: ◉ YES ○ NO | Substance: CNS Stimulant | 5150 a factor in force? ○ YES ◉ NO User's guide provides direction on this entry

Suspect Interview

Date: N/A | Time: | ☐ Audiotape: | ☐ Videotape: | ☐ Photos of Injuries: | ☐ ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name	First Name	Middle Name	Armed? Select

AKA Last Name: | First Name: | Middle Name:

Sex:	Race:	Age:	Height:	D.O.B.	Weight:	Phone #1: ○ H ○ W ○ C	Phone #2: ○ H ○ W ○ C
○ Male ○ Female							

Street Address: | City: | State & Zip Code:

Booking #: | Primary Charge Code: | Secondary Charge Code: | ☐ Criminal History

Treated on Scene? ○ YES ○ NO | By: | Unit: | Phone #:

Hospital Admission? ☐ | Rec'd Treatment At: | Coroner Case #: | Mental History ☐ User's guide provides direction on this entry

By: | Address: | Phone #:

Under Influence: ○ YES ○ NO | Substance: | 5150 a factor in force? ○ YES ○ NO User's guide provides direction on this entry

Suspect Interview

Date: | Time: | ☐ Audiotape: | ☐ Videotape: | ☐ Photos of Injuries: | ☐ ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name	First Name	Middle Name	Armed? Select

AKA Last Name: | First Name: | Middle Name:

Sex:	Race:	Age:	Height:	D.O.B.	Weight:	Phone #1: ○ H ○ W ○ C	Phone #2: ○ H ○ W ○ C
○ Male ○ Female							

Street Address: | City: | State & Zip Code:

Booking #: | Primary Charge Code: | Secondary Charge Code: | ☐ Criminal History

Treated on Scene? ○ YES ○ NO | By: | Unit: | Phone #:

Hospital Admission? ☐ | Rec'd Treatment At: | Coroner Case #: | Mental History ☐ User's guide provides direction on this entry

By: | Address: | Phone #:

Under Influence: ○ YES ○ NO | Substance: | 5150 a factor in force? ○ YES ○ NO User's guide provides direction on this entry

Suspect Interview

Date: | Time: | ☐ Audiotape: | ☐ Videotape: | ☐ Photos of Injuries: | ☐ ADMITS HEARING ANNOUNCEMENTS

☐ Additional Suspects Involved

Supervisor's Report on Use of Force
EMPLOYEE / NON-EMPLOYEE INFORMATION

0 1 4 - 0 4 3 1 8 - 6 8 3 5 - 0 1 3

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
[redacted]	Toone	Andrew	M.

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
SEB	Tan Team	○ EM ◉ Day ○ PM	○ Regular ◉ OT ○ Off Duty

Emp. #	Last Name	First Name	Middle Name
[redacted]	Stoll	Adam	F.

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
SEB	K-9	○ EM ○ Day ◉ PM	○ Regular ◉ OT ○ Off Duty

Emp. #	Last Name	First Name	Middle Name
[redacted]	Phillippi	Jason	H.

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
SEB	K-9	○ EM ◉ Day ○ PM	◉ Regular ○ OT ○ Off Duty

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]		34	[redacted]

Street Address	City	Zip Code	Phone #1	Phone #2
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]		40	[redacted]

Street Address	City	Zip Code	Phone #1	Phone #2
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]		Adult	Unkown

Street Address	City	Zip Code	Phone #1	Phone #2
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

☐ Additional Witness

Supervisor's Report on Use of Force

014 - 04318 - 6835 - 013

Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(RO) Restraint Device (Other)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(IR) Less Lethal Impact Round (other)
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative
(HR) High Risk

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Involved

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE USED BY		FORCE USED AGAINST		Method (Code)	Type of Injury (Code)	Body Part (Code)
Name	E# or S#	Name	E# or S#			
Suspect Morales	S# 1	Deputy Butts	E# 1	UC	NN	
Suspect Morales	S# 1	Deputy Butts	E# 1	RS	NN	
Deputy Butts	E# 1	Suspect Morales	S# 1	TR	AB	AD
Suspect Morales	S# 1	Deputy Butts	E# 1	FH	GS	AR
Deputy Butts	E# 1	Suspect Morales	S# 1	FH	NN	
Suspect Morales	S# 1	Deputy Butts	E# 1	FH	NN	
Deputy Butts	E# 1	Suspect Morales	S# 1	FH	NN	
Suspect Morales	S# 1	Deputy [redacted]	E# 4	UC	NN	
Suspect Morales	S# 1	Deputy [redacted]	E# 3	UC	NN	
Deputy [redacted]	E# 3	Suspect Morales	S# 1	CN	DB	AR
Suspect Morales	S# 1	Deputy [redacted]	E# 3	RS	NN	
Suspect Morales	S# 1	Deputy [redacted]	E# 4	RS	NN	
Suspect Morales	S# 1	Deputy Salazar	E# 2	RS	NN	
Deputy [redacted]	E# 3	Suspect Morales	S# 1	PH	NN	
Deputy Salazar	E# 2	Suspect Morales	S# 1	PH	NN	
Deputy [redacted]	E# 4	Suspect Morales	S# 1	TT	NN	
Deputy [redacted]	E# 3	Suspect Morales	S# 1	TT	NN	
Deputy Salazar	E# 2	Suspect Morales	S# 1	TT	NN	
Suspect Morales	S# 1	Deputy Salazar	E# 2	FH	NN	
Deputy Salazar	E# 2	Suspect Morales	S# 1	FH	GS	HE

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

INVESTIGATIVE SUMMARY

INCIDENT:	**On-duty hit shooting, suspect deceased**
IAB FILE NUMBER(S):	**SH 2362771/ FO 2379071**
URN#:	**014-04318-6835-013**
DATE/TIME:	**August 9, 2014, 0412 hours**
LOCATION:	**Grand Avenue/Pacific Boulevard, Los Angeles**

SYNOPSIS

On Saturday, August 9, 2014, an Internal Affairs Bureau (IAB) team comprised of Lieutenant Todd Weber, Sergeant Brenda Gibson, and Sergeant Dinah Grote responded to a command post for Transit Bureau South, regarding an on-duty hit shooting. The shooting resulted in a gunshot wound to Deputy Gary Butts' right forearm, and the death of Suspect Alberto Cornelio Morales.

On August 9, 2014, at approximately 0412 hours, Deputy Gary Butts was patrolling the Pacific Boulevard Bus Line in a marked Los Angeles County Sheriff's patrol vehicle. He stopped the vehicle in front of a bus bench located on Pacific Boulevard, south of Grand Avenue. The vehicle was stopped facing north. Although, it was dark outside, a nearby streetlamp illuminated the area. The suspect sat on the bus bench, and Deputy Butts sat in the patrol vehicle as he had a consensual conversation with the suspect through the passenger side window. While Deputy Butts was talking to the suspect, Witness [redacted] was walking south on Pacific Boulevard, on the east sidewalk, approaching Grand Avenue. In addition, Witness [redacted] was also walking south on Pacific Boulevard, on the east sidewalk. The witnesses were not together. As Witness [redacted] walked by the patrol car and the bus bench, he heard Deputy Butts ask the suspect his age. Witness [redacted] kept walking southbound on Pacific Avenue, and did not witness the incident. Deputy Butts checked the suspect via the wanted person's system on the Mobile Digital Computer, and it returned with a $40,000 Misdemeanor warrant for possession of a controlled substance [**MISCELLANEOUS DOCUMENTS, PHOTOGRAPH OF THE WARRANT INFORMATION ON THE MDC**].

As Witness [redacted] walked within three feet of the patrol vehicle, he heard Deputy Butts tell the suspect he had a warrant for Methamphetamine. Deputy Butts exited the patrol vehicle, and walked around the front of the car, towards the suspect, to detain him regarding the warrant.

The suspect had already stood up, and was walking north on Pacific Boulevard, towards Grand Avenue, in the direction of Deputy Butts. Deputy Butts gave the suspect several verbal commands, and told him he would use the TASER if he did not comply. When the suspect failed to comply, Deputy Butts fired the TASER at the suspect, striking him in the stomach with a six second cycle **[EXHIBIT A, PAGE 124]**.

IAB Note: **Deputy Butts stated he fired the TASER at the suspect because the suspect walked rapidly towards him with his fists clenched, and he believed the suspect was going to assault him [TRANSCRIBED INTERVIEWS, DEPUTY GARY BUTTS' HOMICIDE BUREAU INTERVIEW, PAGES 4-6,16 AND 17, AND DEPUTY GARY BUTTS' IAB INTERVIEW, PAGES 9-12]. However, Witness [redacted] stated the suspect was walking away from Deputy Butts when he fired the TASER at the suspect. Witness [redacted] witnessed this incident from the corner of Pacific Boulevard and Grand Avenue, under the bus stop sign. He also called 9-1-1 after the shooting [TRANSCRIBED INTERVIEWS, WITNESS [redacted] HOMICIDE BUREAU INTERVIEW, PAGES 3, 5, 6, 10, 15, 16 and 18-20 and EXHIBIT C, COMPACT DISC LABELED 9-1-1 CALL].**

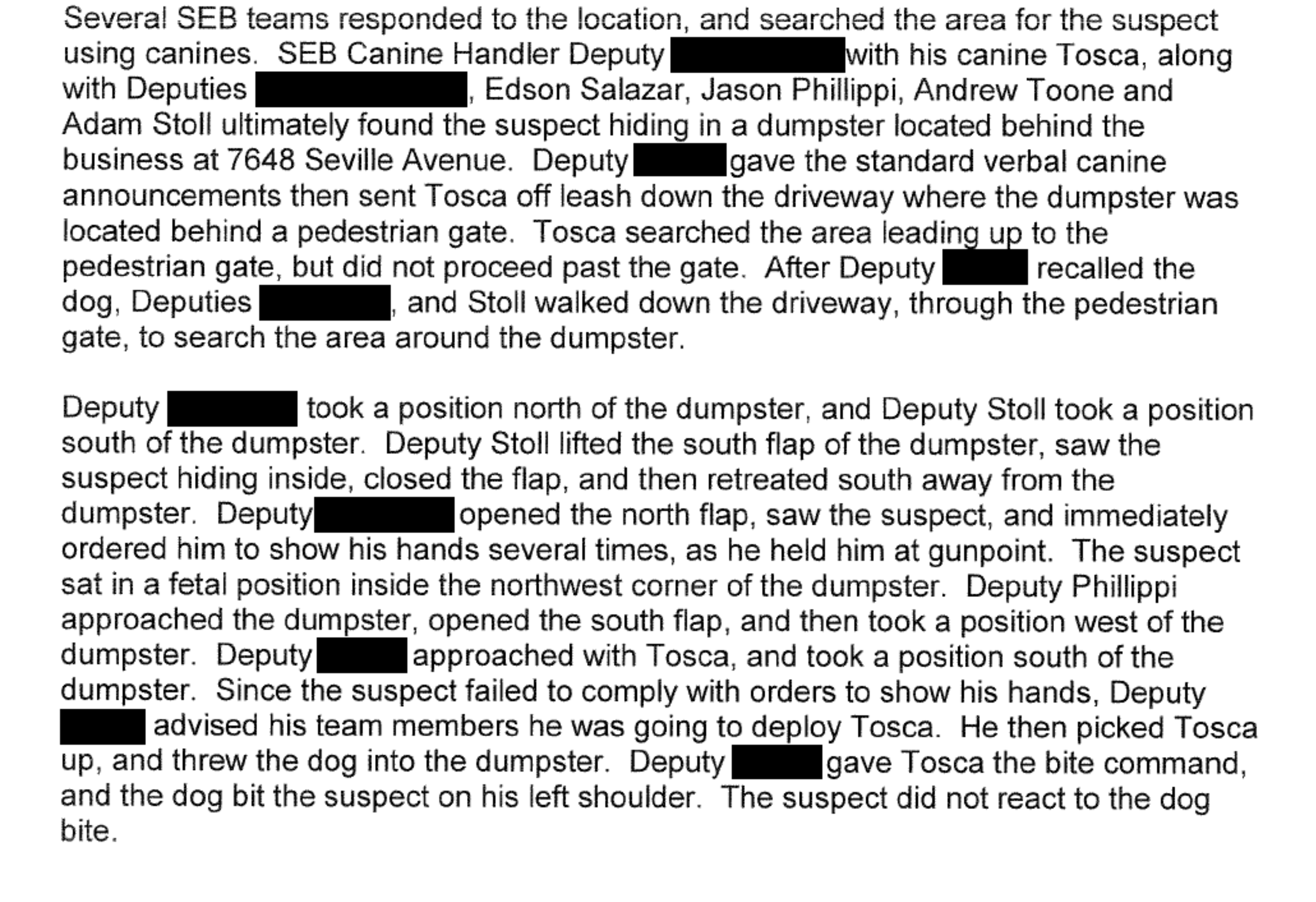
The suspect fell to the ground, onto his left side, on Grand Avenue, east of Pacific Boulevard. He then stood up, pulled the TASER probes out of his stomach, and ran east on Grand Avenue for three to five feet. The suspect turned towards Deputy Butts, removed a handgun from his waistband, and fired three to five rounds at Deputy Butts, from ten feet away. Witness [redacted] got down on the ground under the bus stop sign at Pacific Boulevard and Grand Avenue. Deputy Butts drew his handgun, and fired two to three rounds at the suspect's chest. The suspect fell in the street momentarily, then got back up and ran another seven to ten feet before he turned, and fired three more rounds at Deputy Butts, striking him in the right forearm. Deputy Butts fired one to two rounds at the suspect, then his gun malfunctioned. The suspect fled east on Grand Avenue where he fired his weapon into the ground, ran past Seville Avenue and out of view **[EXHIBIT C, DVD LABELED 2668 GRAND AVENUE]**. Deputy Butts requested assistance via his handheld radio, pursued the suspect on foot to establish a containment, and cleared his gun malfunction. Deputy Butts lost sight of the suspect because he was about ten to twelve yards behind the suspect. Deputy Butts went north on Seville Avenue to Hope Street, where he stopped, and realized he had been shot in the right forearm.

IAB Note: **Deputy Butts stated he fired a total of five rounds at the suspect. According to Homicide Detective Blagg, the evidence indicated Deputy Butts fired a total of three rounds, and ejected one live cartridge on the east side of Seville Avenue and Hope Avenue [EXHIBIT A, PAGE 36, ITEMS 11, 12, AND PAGE 53, ITEMS 25 AND 26].**

In addition, per Detective Blagg, the fired bullet listed under [EXHIBIT A, ITEM 21] could have come from Deputy Butts' weapon.

Several Century Station and Transit Policing Division units arrived on scene, and contained the area. Deputy Butts was transported via ambulance to Saint Francis Medical Center, where he was treated for his injury.

IAB Note: The Homicide case book noted the date and time of the incident as being August 9, 2014, at 0412 hours. However, a review of the radio transmissions revealed that Deputy Butts requested assistance, over the main frequency, regarding a deputy involved shooting on August 9, 2014, at 0411 hours. In addition, video footage recovered from a residence on Grand Avenue depicted the suspect running east on Grand Avenue at 04:12:32, followed by Deputy Butts at 04:12:47 [EXHIBIT C]. However, the TASER information printout [EXHIBIT A, PAGE 124], listed the TASER as being activated on August 9, 2014, at 04:19:47.



Several SEB teams responded to the location, and searched the area for the suspect using canines. SEB Canine Handler Deputy [redacted] with his canine Tosca, along with Deputies [redacted], Edson Salazar, Jason Phillippi, Andrew Toone and Adam Stoll ultimately found the suspect hiding in a dumpster located behind the business at 7648 Seville Avenue. Deputy [redacted] gave the standard verbal canine announcements then sent Tosca off leash down the driveway where the dumpster was located behind a pedestrian gate. Tosca searched the area leading up to the pedestrian gate, but did not proceed past the gate. After Deputy [redacted] recalled the dog, Deputies [redacted], and Stoll walked down the driveway, through the pedestrian gate, to search the area around the dumpster.

Deputy [redacted] took a position north of the dumpster, and Deputy Stoll took a position south of the dumpster. Deputy Stoll lifted the south flap of the dumpster, saw the suspect hiding inside, closed the flap, and then retreated south away from the dumpster. Deputy [redacted] opened the north flap, saw the suspect, and immediately ordered him to show his hands several times, as he held him at gunpoint. The suspect sat in a fetal position inside the northwest corner of the dumpster. Deputy Phillippi approached the dumpster, opened the south flap, and then took a position west of the dumpster. Deputy [redacted] approached with Tosca, and took a position south of the dumpster. Since the suspect failed to comply with orders to show his hands, Deputy [redacted] advised his team members he was going to deploy Tosca. He then picked Tosca up, and threw the dog into the dumpster. Deputy [redacted] gave Tosca the bite command, and the dog bit the suspect on his left shoulder. The suspect did not react to the dog bite.

Deputy Salazar took a position north of the dumpster to assist. Deputy [redacted] ordered the suspect to stand up, and to show his hands. When the suspect failed to comply, Deputy [redacted] punched the suspect three to four times on the left side of his face, with his right fist. Deputies [redacted], [redacted] and Salazar then attempted to pull the suspect out of the dumpster, but the suspect resisted their efforts. Deputy Salazar punched the suspect two or three times on the right side of his face. He then assisted Deputies [redacted] and [redacted], as they pulled the suspect out of the dumpster. Deputy Salazar let go of the suspect, while Deputies [redacted] and [redacted] took the suspect down to the ground, onto his knees, west of the dumpster. The suspect's handgun fell to the ground next to him, and Deputy [redacted] yelled, "Gun," several times. The suspect grabbed the gun and turned towards Deputy Salazar, who shot him in the head at close range. Emergency Services Detail Sergeant Thomas Giandomenico and Deputy Rickey Hernandez arrived on scene after the shooting to render aid to the suspect. The suspect exhibited signs of death, and Sergeant Giandomenico determined he was dead. In addition, Sergeant Giandomenico and Deputy Hernandez did not witness the incident. Detective Steven Blagg and Sergeant Frederick Reynolds from the Los Angeles County Sheriff's Department Homicide Bureau arrived, and assumed control of the homicide investigation. For further information regarding the homicide investigation refer to the Homicide case book, under URN #014-04318-6835-013 **[EXHIBIT A].**

IAB Note: **Witness [redacted] was sitting in the driver's seat of his vehicle during this incident. His vehicle was backed into his driveway, located across the street from the SEB shooting incident. He saw six SEB deputies and the canine in the area of the dumpster, and heard four loud noises, but did not see the force or shooting incident [TRANSCRIBED INTERVIEWS, WITNESS [redacted] HOMICIDE BUREAU INTERVIEW, PAGES 6-8]. In addition, Witness [redacted] took photographs of deputies at the scene [EXHIBIT A, PAGE 59, AND MISCELLANEOUS DOCUMENTS]. The photographs did not capture the incident.**

IAB Note: **IAB Lieutenant Weber ensured that Watch Commander Lieutenant [redacted] took reasonable steps to ensure that all involved parties and witnesses did not discuss the incident amongst themselves.**

DISTRICT ATTORNEY'S LETTER OF OPINION

The Justice System Integrity Division of the Los Angeles County District Attorney's Office reviewed the fatal shooting of Alberto Cornelio Morales by Deputy Edson Salazar. In their letter of opinion **[EXHIBIT B]**, dated December 11, 2014, Deputy District Attorney Renee Chang concluded Deputy Butts acted lawfully in self-defense. In addition, DDA Chang concluded Deputy Salazar acted lawfully in self-defense, and in defense of others.

INVOLVED PERSONNEL AND WORK HISTORY

Gary D. Butts, Deputy Sheriff, #[redacted]
Transit Policing Division
Transit Bureau South

Work History



Date of Employment:	April 19, 2010
Date Assigned to Patrol/ Transit Services South Bureau:	[redacted]
Date Completed Patrol Training:	[redacted]
Prior Shooting Incident(s):	[redacted]
Prior Founded Force Incidents:	[redacted]

Equipment Worn On Person

Handgun, Beretta, Model 92FS, 9mm Luger caliber, double action pistol, serial number BER[redacted]

(3) Magazines with live ammunition

ASP Expandable Baton

TASER, Model X26, serial number XOO-731077

Oleoresin Capsicum (OC) Pepper Spray

Handcuffs (two pairs), and one handcuff key

First Aid holder with tourniquet

Handheld portable radio

Green external ballistic vest with "Sheriff" markings on the front and back

Edson R. Salazar, Deputy Sheriff, #[redacted]
Homeland Security Division
Special Enforcement Bureau

Date of Employment:	February 21, 2002
Date Assigned to Patrol/Century Station:	[redacted]
Date Completed Patrol Training:	[redacted]
Prior Shooting Incident(s):	February 26, 2014, SH2349925
Prior Founded Force:	[redacted]

Equipment Worn On Person

Handgun, Smith & Wesson, Model M&P, 9mm luger caliber, Serial Number MRF[redacted] with "Surefire" tactical light attached

Assault rifle, Colt, Model M4, 5.56 caliber

Tactical entry vest

Tactical helmet

(5) Magazines with live ammunition

[redacted], Deputy Sheriff, #[redacted]
Homeland Security Division
Special Enforcement Bureau

Date of Employment:
Date Assigned to Patrol/
West Hollywood Station:
Date Completed Patrol Training:
Prior Shooting Incident(s):
Prior Founded Force:


[redacted]

Equipment Worn On Person

Handgun, Smith & Wesson, Model M&P, 9mm luger caliber with "Surefire" tactical light attached

Assault rifle, Colt, Model M4, 5.56 caliber loaded with one 30 round magazine

Tactical entry vest

Tactical helmet

(5) Magazines with live ammunition

[redacted], Deputy Sheriff, #[redacted]
Homeland Security Division
Special Enforcement Bureau

Date of Employment:
Date Assigned to Patrol/Century Station:
Date Completed Patrol Training:
Prior Shooting Incident(s):
Prior Founded Force:


[redacted]

Equipment Worn On Person

Handgun, H&K, 45 caliber

TASER

Tactical entry vest

Tactical helmet

(2) Magazines with live ammunition

SUSPECT INFORMATON

Alberto Cornelio Morales
Male, Hispanic, DOB: June 30, 1973, 5'07", 185 pounds
[redacted]
CII #[redacted], MAIN #[redacted], FBI #[redacted]

> **IAB Note: A copy of Suspect Morales' criminal history is included in the Homicide Investigation Book [EXHIBIT A, PAGES 146-158].**

SUSPECT'S INJURIES

Suspect Morales sustained one gunshot wound to his head. See Coroner's report **[EXHIBIT A, PAGES 175-177]**, and disc of photographs submitted as **[EXHIBIT C].**

DEPUTY PERSONNEL INJURIES

Deputy Butts sustained a gunshot wound to his right forearm. He was initially treated by Doctor Alex Kaplan at Saint Francis Medical Center in Lynwood (MR# [redacted]). In addition, he was treated by Doctor Mark Stephen Eicher at Kaiser Permanente, and released to full duty on August 18, 2014.

PHYSICAL EVIDENCE

Homicide Detectives Frank Salerno, Ronald Duval, Peter Hecht, Donna Cheek and Homicide Sergeants Steve Rubino, Howard Cooper, Chaffey Shepherd, and Gean Okada located and collected all physical evidence. Forensic Identification Specialists Jackie Thompson and David Alonso; and Senior Criminalists Manual Munoz and Leslie Thompson; as well as Teresa Romo and Brian James all from the Los Angeles County Sheriff's Department's Scientific Services Bureau (Crime Lab) assisted. Deputy Brian Deruyter from the Los Angeles County Sheriff's Department's Technical Operations Detail also assisted. For descriptions of the evidence collected and where it was collected, see the Homicide Investigation Book **[EXHIBIT A, PAGES 34-57 and 74-116].**

INVESTIGATOR'S OBSERVATIONS

Approximately four hours transpired from the time of the first shooting to IAB Investigator's observations. The scene is described in detail by Homicide Detectives Frank Salerno and Robert Duval **[EXHIBIT A, PAGES 40-48]**, Sergeant Steve Rubino and Detective Peter Hecht **[EXHIBIT A, PAGES 59-54]**, and Detective Donna Cheek and Sergeant Okada **[EXHIBIT A, PAGES 74-80]**. Their description of the scene was consistent with IAB Investigator's observations. The scene was also photographed by the aforementioned Sheriff's Crime Lab personnel.

WEAPON USED BY DEPUTY BUTTS

Deputy Butts fired three rounds of Department issued 9mm ammunition from his Department issued Beretta 92FS, semiautomatic pistol. The firearm was examined by Senior Criminalist Manuel Munoz of the Scientific Services Firearms Identification Section and found to be functional **[EXHIBIT A, PAGE 143]**. Senior Criminalist Munoz also found what appeared to be blood on the left side of the pistol's slide, trigger, and handle. In addition, the weapon had an extended magazine with the capacity to hold 17 rounds plus one (1) in the chamber **[EXHIBIT A, PAGES 47 and 144, and MISCELLANEOUS DOCUMENTS]**.

> **IAB Note: According to Senior Department Armorer Deputy Mauricio Maya, although the Beretta 92FS was issued with a 15 round magazine, the 17 round magazine manufactured by Beretta is also authorized [MISCELLANEOUS DOCUMENTS, NEWSLETTER, VOLUME 15, NUMBER 21, PAGE 2]**.

Two fired 9mm Luger cartridge casings, head stamped "WIN 9MM Luger," one fired bullet, one 9mm caliber Luger cartridge, head stamped "9mm Luger Win," and one fired 9mm Luger caliber cartridge were recovered at the scene **[EXHIBIT A, PAGES 36, 37, 49 and 50]**.

Date last qualified:  [redacted]
Date last trained with weapon:

WEAPON USED BY DEPUTY SALAZAR

Deputy Salazar fired one round of Department issued 9 millimeter ammunition from his Department issued Smith & Wesson M&P, semiautomatic pistol. The firearm was examined by Senior Criminalist Manuel Munoz of the Scientific Services Firearms Identification Section and found to be functional **[EXHIBIT A, PAGE 143]**.

Date last qualified:  [redacted]
Date last trained with weapon:

WEAPON USED BY SUSPECT MORALES

Suspect Morales shot Deputy Butts in the right forearm with a Colt Model Trooper Mark III revolver. Based on the evidence collected at the scene, it appears that the suspect may have fired nine rounds **[EXHIBIT A, PAGE 141]**. However, no prints were developed **[MISCELLANEOUS DOCUMENTS]**.

PROPERTY DAMAGE BY SUSPECT MORALES

2005, Ford Focus, Black, California License Plate [redacted] bullet impact on driver's door below the bottom portion of the window **[EXHIBIT A, PAGE 45]**.

2004, Toyota Corolla, White, California License Plate [redacted] bullet impact on the hood, and bullet impacts on the passenger's side windshield and wiper blade **[EXHIBIT A, PAGE 45]**.

CRIMINAL INVESTIGATORS AND CHARGES FILED

The criminal investigation into the shooting was handled by Detective Steven Blagg and Sergeant Frederick Reynolds of the Los Angeles County Sheriff's Department's Homicide Bureau.

LIGHTING AND WEATHER CONDITIONS

It was dark at the scene of the first shooting incident, but the location was illuminated by an overhead street light. The second shooting incident occurred during daylight hours. The weather was fair and cool during both shooting incidents.

WITNESS STATEMENTS

The following narratives are intended only as a synopsis of the interviews. Additional information, and precise wording may be obtained by reviewing the digitally audio recorded interviews, and verbatim transcriptions. IAB investigators reviewed reports authored by the involved deputies, and determined they were consistent with their IAB Administrative Force Review interviews.

INVOLVED EMPLOYEE DEPUTY GARY BUTTS

On August 9, 2014, Homicide Detective Steven Blagg, and Sergeants Frederick Reynolds and Guillermo Morales interviewed Deputy Butts. The interview is summarized in the Homicide Investigation Book **[EXHIBIT A, PAGES 25-28]**. The following is a brief summary of the homicide interview:

Deputy Butts worked Transit Bureau South's Unit 685A from [redacted] hours to [redacted] hours, in a marked Sheriff's radio car. Deputy Butts' uniform attire was a Class B short sleeve shirt, and Utility Class B pants.

Deputy Butts also wore a green external ballistic vest with Sheriff's markings on it. He carried an expandable ASP baton, TASER, Oleoresin Capsicum Pepper Spray, handcuffs, and a Beretta 9 millimeter pistol. His patrol area included all the "Gateway" cities from Carson to Bell, and Redondo Beach. During this incident, Deputy Butts was patrolling the Pacific Boulevard bus line. He was required to board buses to ensure the safety of all onboard. He activated his rear lights, and stopped the radio car in front of the bus stop located on Pacific Boulevard, just south of Grand Avenue. Deputy Butts saw the suspect sitting on the bus bench at the location. While still seated in the patrol vehicle, Deputy Butts had a consensual encounter with the suspect, and communicated with him through the open passenger side window of the patrol vehicle. The suspect told Deputy Butts he was recently arrested for "Methamphetamine." Deputy Butts checked the suspect for warrants via the Mobile Data Computer (MDC), and the system returned with a $40,000 Misdemeanor warrant for Methamphetamine **[TRANSCRIBED INTERVIEWS, DEPUTY GARY BUTTS' HOMICIDE BUREAU INTERVIEW PAGES 1-4, 11, 14, 15, 16 and 27]**.

Deputy Butts exited the radio car, and told the suspect he was detaining him pending a warrant investigation. Deputy Butts told the suspect to stand up. The suspect complied, but immediately clenched his fists, while facing Deputy Butts. Deputy Butts believed the suspect was possibly under the influence of Methamphetamine. He ordered the suspect to put his hands on the radio car, and the suspect immediately stated, "I'm not going back," as he rapidly approached Deputy Butts with an angry expression on his face, and his hands still clenched. Deputy Butts believed the suspect was going to assault him. He drew his TASER, ordered the suspect to stop, and activated the TASER when the suspect failed to comply. Deputy Butts fired the TASER, striking the suspect in the stomach. At least one TASER probe hit the suspect on his stomach, and he fell down on his side. The suspect then stood back up, and "ripped" the probe out of his stomach. Deputy Butts ordered the suspect to stop, but he ran east on Grand Avenue three to five feet, then turned towards him **[TRANSCRIBED INTERVIEWS, DEPUTY GARY BUTTS' HOMICIDE BUREAU INTERVIEW PAGES 4-6, 12, 26 and 27]**.

When Deputy Butts saw a muzzle flash, and heard one gunshot, he threw the TASER down to the ground, and drew his duty weapon. He heard three to four more gunshots. Fearing that the suspect was going to kill him or someone else, Deputy Butts fired approximately three rounds at the suspect from a distance of about ten feet. Deputy Butts believed he struck the suspect because the suspect fell to the ground. However, the suspect then got up, and ran east on Grand Avenue fifteen to twenty feet, before firing three rounds as he turned to his left towards Deputy Butts again. Deputy Butts felt something hit his arm, and his arm went down, but he did not realize he was struck by gunfire at that time. He brought his arm back up, and fired two more rounds at the suspect before his gun had a "stovepipe" malfunction **[TRANSCRIBED INTERVIEWS, DEPUTY GARY BUTTS' HOMICIDE BUREAU INTERVIEW PAGES 7-13, 18, 26 and 27]**.

The suspect continued running east in the middle of the street, then onto the north sidewalk. Deputy Butts advised via his portable radio that he had been involved in a shooting, and was in foot pursuit of the suspect. Deputy Butts ran onto the north sidewalk, and cleared his gun malfunction by removing the exposed shell casing as he ran. The suspect was approximately fifteen yards ahead of him. When the suspect ran north on Seville Avenue, Deputy Butts lost sight of him. When Deputy Butts reached Seville Avenue, he went north, and coordinated units, via his handheld radio, to set up a containment. While he was coordinating units, Deputy Butts realized he had been shot in the right forearm. According to Deputy Butts, the doctors described the gunshot wound to his right forearm as a "through and through" wound **[TRANSCRIBED INTERVIEWS, DEPUTY GARY BUTTS' HOMICIDE BUREAU INTERVIEW PAGES 8-11 and 17-25]**.

On June 30, 2015, IAB Sergeants Brenda Gibson and Catrina Khasaempanth interviewed Deputy Butts. The interview was conducted at the IAB office. Attorney Amanda Waters from the law firm of Green & Shinee represented Deputy Butts. The following is a summary of the IAB interview:

Deputy Butts has been employed by the Los Angeles County Sheriff's Department for approximately five years. He [redacted] He worked [redacted], [redacted], and Transit Policing South for three years. Deputy Butts was the driver, and sole occupant of the radio car. His job assignment included boarding buses in his area, handling incidents that occurred on the buses, and contacting people at bus stops to ensure they had fare. He wore a Class B uniform with a green external ballistic vest with Sheriff's markings on the front and back. He also carried a small flashlight in his vest. In addition, he wore a uniform belt equipped with his duty weapon, baton, TASER, Oleoresin Capsicum (OC) Pepper Spray, and portable radio. Deputy Butts parked the radio car adjacent to the bus bench located on Pacific Boulevard, and Grand Avenue. He was approximately ten to twelve feet away from the suspect as he communicated with him through the open passenger window of the radio car. While sitting in the radio car, Deputy Butts could see the suspect from head to knees. He also saw the suspect's hands, which were near his lap. Deputy Butts did not see anyone else sitting on the bus bench **[TRANSCRIBED INTERVIEWS, DEPUTY GARY BUTTS' IAB INTERVIEW PAGES 2-6, 8 and 14]**.

IAB Note: Deputy Butts marked the suspect's position on the bus bench during the consensual encounter [EXHIBIT D, PHOTOGRAPH 1].

Deputy Butts did not have a reason for not getting out of the radio car while talking to the suspect. However, he explained that whenever he checked a suspect for warrants via the MDC while seated inside the radio car, he usually had his duty weapon un-holstered, and next to his side, just in case a suspect produced a weapon. Since Deputy Butts is right handed, he used his left hand to type on the MDC.

In addition, Deputy Butts always had the driver's side door opened wide enough to exit the vehicle if he needed to in a hurry **[TRANSCRIBED INTERVIEWS, DEPUTY GARY BUTTS' IAB INTERVIEW PAGES 6-8]**. After the wanted persons system returned with a $40,000 Misdemeanor warrant for Possession of a Controlled Substance, Deputy Butts created an Observation (OBS), tag number 71 **[EXHIBIT A, PAGE 121]**. He then exited the radio car, and walked around the front of the car to contact the suspect to search him for weapons or narcotics.

Deputy Butts was about seven to ten feet from the suspect when he told the suspect he was detaining him for a warrant investigation, and ordered him to stand up. The suspect complied, but clenched his fists at his sides, and immediately started walking towards Deputy Butts rapidly, with an angry look on his face. Deputy Butts stated although he believed the suspect was going to assault him, the incident happened within seconds, and he did not request back up at that time because the nearest unit was fifteen minutes away. In addition, he did not believe it was necessary to request back up since he was only detaining the suspect for a warrant. Deputy Butts drew his TASER, and told the suspect he would use it if he did not stop. The suspect continued to advance towards Deputy Butts, as he shouted profanities. Deputy Butts was approximately seven feet from the suspect when he activated the TASER, and fired it at the suspect. He believed both TASER probes hit the suspect because the suspect fell down onto his side. Deputy Butts also believed he held the trigger for one five second cycle, but agreed he could have held it for six seconds.

IAB Note: Deputy Butts marked his position and the suspect's position when he used the TASER [EXHIBIT D, PHOTOGRAPH 2]. In addition, according to the TASER Information sheet, Deputy Butts activated the TASER on 08/09/14, at 04:19:47 for 6 seconds [EXHIBIT A, PAGE 124].

Deputy Butts was not pressing the TASER trigger when the suspect ripped the probes out of his stomach. He ordered the suspect to stop, but the suspect fled east on Grand Avenue without saying anything **[TRANSCRIBED INTERVIEWS, DEPUTY GARY BUTTS' IAB INTERVIEW PAGES 9-13 and 23]**.

When the suspect turned towards Deputy Butts, he saw a muzzle flash then heard three to five gunshots. He believed the suspect was going to kill him or someone else. Deputy Butts threw the TASER on the ground, drew his Beretta 92F, used his sights, and fired three rounds in succession at the suspect's chest, while standing still. The suspect fell in the street, and Deputy Butts stopped firing because he believed he had shot the suspect. However, the suspect immediately got up, and ran approximately seven to ten feet before he turned, and fired two to three more rounds at Deputy Butts. Deputy Butts believed the suspect was trying to kill him. Deputy Butts fired two additional rounds at the suspect while aiming "center mass," then his gun malfunctioned. He cleared the malfunction by brushing the "stovepipe cartridge" off, and he saw the next round in the chamber. Deputy Butts did not recall if he "tapped and racked," but stated it was not necessary.

Deputy Butts also did not perform a tactical reload because he was sure he fired five rounds, and knew he had ammunition left. He also said he did not request assistance at the time of the shooting because he was in the middle of a "gun fight" **[TRANSCRIBED INTERVIEWS, DEPUTY GARY BUTTS' IAB INTERVIEW PAGES 13-19]**.

The shooting occurred during night time hours, but the area was illuminated by a street lamp on Pacific Boulevard. Deputy Butts did not have a flashlight attached to his duty weapon, and he did not use the flashlight he had in his vest. His nearest cover was the radio car which was several feet away. Deputy Butts chose not to retreat to the radio car. He also did not have any concealment available. Deputy Butts' backdrop consisted of cars on both sides of the street as well as houses approximately two hundred feet from the shooting, on both sides of the street. The nearest cross street was one-eighth to a quarter of a mile away, and he did not see any people **[TRANSCRIBED INTERVIEWS, DEPUTY GARY BUTTS' IAB INTERVIEW PAGES 13-19]**.

IAB Note: **Deputy Butts marked his positions and the suspect's positions during the first and second shooting incidents. The first shooting positions are indicated by the green markings, and the second shooting positions are indicated by the black markings [EXHIBIT D, PHOTOGRAPH 3].**

The suspect fled east on Grand Avenue in the middle of the street, then onto the north sidewalk where he fled north onto Seville Avenue and out of view. Deputy Butts requested assistance via his portable radio, and advised he was in foot pursuit of the suspect for containment purposes. He also requested Aero Bureau. Deputy Butts followed the suspect east on Grand Avenue in the middle of the street, then onto the north sidewalk where he ran north on Seville Avenue. Deputy Butts was ten to twelve yards away from the suspect when he lost sight of him. The foot pursuit lasted fifty seconds **[MISCELLANEOUS DOCUMENTS, FOOT PURSUIT EVALUATION FORM].** Deputy Butts believed he chased the suspect for approximately one-fourth of a mile.

IAB Note: **Deputy Butts marked his direction of travel during the foot pursuit [EXHIBIT D, PHOTOGRAPHS 4 and 5].**

Deputy Butts was at the intersection of Seville Avenue and Hope Street when he realized he had been shot. The first assisting unit, a Century Station unit, arrived approximately five minutes later, and assumed the handle. Deputy Butts was transported via ambulance to Saint Francis Medical Center in Lynwood, and Sergeant Judy Hebb followed **[TRANSCRIBED INTERVIEWS, DEPUTY GARY BUTTS' IAB INTERVIEW PAGES 21-22]**.

INVOLVED EMPLOYEE DEPUTY [redacted]

On August 9, 2014, Homicide Sergeants Howard Cooper and Chaffey Shepherd interviewed Deputy [redacted]. IAB Sergeant Brenda Gibson was also present. The interview is summarized in the Homicide Investigation Book **[EXHIBIT A, PAGES 64-66]**. The following is a brief summary of the homicide interview:

Deputy [redacted] is a thirty-two year veteran of the Los Angeles County Sheriff's Department. He was previously assigned to [redacted], and [redacted] He is currently assigned to Special Enforcement Bureau, and has been assigned there since 1997. Deputy [redacted] wore a SWAT utility uniform, and a green tactical entry vest, both with Los Angeles County Sheriff's Department insignia. In addition, he wore a green tactical entry helmet.

Deputy [redacted] was armed with his handgun, a Smith & Wesson Model M&P, 9 millimeter, secured in a hip holster on a nylon web belt. Deputy [redacted] also carried a Colt Model M4, .556 caliber, assault rifle loaded with one 30 round magazine. In addition, Deputy [redacted] carried two extra magazines for his handgun, and three extra 30 round magazines for his M4 on his entry vest. Both weapons were Department issued.

Deputy [redacted] responded to the location along with other team members, to assist Canine personnel with an area search of a suspect involved in an officer involved shooting incident. The team searched, and cleared, "a couple" of yards on Seville Avenue, then proceeded to the business on the northeast corner of Grand Avenue and Seville Avenue. Canine Handler Deputy [redacted] sent his dog down the walkway that led to an open pedestrian gate. The dog stopped at the gate, then walked to the right. Deputy [redacted] believed the dog paused, and he thought that behavior was odd. However, he did not believe Deputy [redacted] was aware of this. Deputy [redacted] saw a blue dumpster with a black plastic lid divided down the middle, positioned on the right side, through the pedestrian gate. On the left side he saw an "alcove." Deputy [redacted] drew his handgun and cleared the alcove along with Deputy Stoll **[TRANSCRIBED INTERVIEWS, DEPUTY [redacted] HOMICIDE BUREAU INTERVIEW, PAGES 2 and 3]**.

Deputy [redacted] took a position on the north side of the dumpster, while Deputy Stoll took a position on the south side of the dumpster. Deputy Stoll lifted the south side lid, and looked inside. Deputy [redacted] almost simultaneously lifted the north side lid, and saw the suspect curled inside the dumpster, facing northeast. Deputy [redacted] ordered the suspect several times to show his hands. The suspect failed to comply, but started standing up. Deputy [redacted] saw the suspect's left hand, but could not see his right hand. Deputy [redacted] put the canine into the dumpster, and the dog latched onto the suspect's left arm, as the suspect faced west. The suspect did not react to the canine's bite. Deputies Salazar and [redacted] grabbed the suspect, and attempted to pull him out of the dumpster, but were unable to because the suspect resisted.

Deputies Salazar and [redacted] punched the suspect with their fists two to three times in the face, but the suspect did not appear to be effected. Deputy [redacted] grabbed the suspect's belt from the back of his pants, and his right pants leg. He, along with Deputies Salazar and [redacted], pulled the suspect out of the dumpster and onto the ground, face down. The canine was still latched onto his left arm. A black, six inch Smith & Wesson Model 19 fell to the ground, and Deputy [redacted] yelled, "Gun!" The suspect grabbed the gun and started to turn, when Deputy [redacted] heard a shot. Deputy [redacted] saw that Deputy Salazar's weapon malfunctioned after he fired it, but he did not actually see Deputy Salazar shoot the suspect **[TRANSCRIBED INTERVIEWS, DEPUTY [redacted] HOMICIDE BUREAU INTERVIEW, PAGES 3-9]**.

On June 30, 2015, IAB Sergeants Brenda Gibson and Catrina Khasaempanth interviewed Deputy [redacted]. The interview was conducted at the IAB office. Deputy [redacted] chose not to have a representative present during the interview. The following is a summary of the IAB interview:

It was daylight when three Special Enforcement Bureau teams (Gray, Gold and Tan), along with Incident Commander Lieutenant Bruce Chase, responded to this incident. Deputy [redacted] was normally assigned to the Tan team, but he worked with members of various teams during this incident. He said he worked with Deputies Juan Rodriguez, [redacted], Adam Stoll, Andrew Toone, Edson Salazar and Jason Phillippi during this incident.

IAB Note: This investigator confirmed that Deputy Juan Rodriguez was not present during the shooting.

In addition, Deputy [redacted] worked, and trained with the aforementioned deputies regularly. The tactical plan for this incident was to assist Canine Handler Deputy [redacted]. The dog would search an area first, then the deputies would search afterwards. Deputy [redacted] did not carry a TASER, but believed Deputy [redacted] did. Although, Deputy Phillippi was assigned to use less lethal weapons, the use of less lethal weapons actually depended upon who was in the position to use the weapons when the need arose. The entire team had portable radios, and everyone was on the same tactical frequency. Deputy [redacted] is right handed, and carried his Colt Model M4, .556 caliber, assault rifle, on his right side in a single point sling attached to his vest **[TRANSCRIBED INTERVIEWS, DEPUTY [redacted] IAB INTERVIEW, PAGES 4-7].**

When the team approached the location of the incident, they were in a single file line, led by Deputy [redacted]. Deputy [redacted] was directly behind Deputy [redacted], followed by Deputy Stoll, and the rest of the team. Deputy [redacted] stood at the beginning of the walkway at the business, and watched as Deputy [redacted] sent the dog down the walkway "off leash." The canine went to the closed gate, paused, and then turned to the right. Deputy [redacted] did not believe the dog alerted on the trash dumpster, but thought it was odd that the dog did not continue straight down the walkway.

Deputy [redacted] recalled the dog, and then sent the dog back down the walkway. The dog turned to the right again. Deputy [redacted] believed this was an indication that the team needed to make sure the area near the dumpster was cleared. Deputy [redacted] slung his Colt Model M4 over his shoulder, and transitioned to his handgun. Once he cleared the area with Deputy Stoll, Deputy [redacted] took a position two to three feet north of the dumpster. He opened the lid completely, and saw the suspect curled into a fetal position, while sitting on his buttocks, facing northeast. Due to the suspect's position, Deputy [redacted] could not see his head or his right hand. He ordered the suspect numerous times in English to show his hands, but the suspect failed to comply. Deputy [redacted], who was positioned in front of the dumpster, southwest of Deputy [redacted], also ordered the suspect to show his hands **[TRANSCRIBED INTERVIEWS, DEPUTY [redacted] IAB INTERVIEW, PAGES 7-12].**

IAB Note: **Deputy [redacted] marked his position as well as Deputies Stoll and [redacted] positions during their initial contact with the suspect [EXHIBIT E, PHOTOGRAPH 1].**

The suspect remained "non-compliant" as he sat in the dumpster. Deputy [redacted] put his canine in the dumpster on the suspect's left side. Deputy [redacted] then ordered the suspect to show his hands, and get out of the dumpster. The suspect failed to comply, and fought with the canine. Deputy [redacted] then punched the suspect several times in the face. Deputy Salazar punched the suspect two to three times in the face. Deputy [redacted] continued trying to pull the suspect out of the dumpster. Deputy [redacted] had his assault rifle slung behind his back in a secure position, and his handgun holstered while engaged with the suspect. In addition, Deputies [redacted] and Salazar also had their handguns holstered. Deputy [redacted] grabbed the back of the suspect's shirt, and Deputy Salazar grabbed the left side of the suspect's shirt. Deputy [redacted] grabbed the back of the suspect's belt with his right hand, and the suspect's right pants leg with his left hand. Deputies [redacted], [redacted] and Salazar pulled the suspect out of the dumpster, onto the ground, facing down. Deputy [redacted] said it was not feasible to try to handcuff the suspect while he was inside the dumpster because he was resistive, and they were trying to extract him. Deputy [redacted] saw a large handgun fall from the suspect's waist onto the ground, next to the upper right side of the suspect's body, and immediately yelled, "Gun, gun!" Deputy [redacted] was standing on the suspect's right side, and Deputy Salazar was standing on his left side. Deputy [redacted] was approximately five feet away from Deputy Salazar during the shooting, but he did not see Deputy Salazar shoot the suspect in the head **[TRANSCRIBED INTERVIEWS, DEPUTY [redacted] IAB INTERVIEW, PAGES 13-18 and 21].**

IAB Note: **Deputy [redacted] marked his position as well as Deputies [redacted] and Salazar's positions as they attempted to pull the suspect out of the dumpster. He also listed their positions during the shooting as indicated by a green "S" [EXHIBIT E, PHOTOGRAPH 2].**

Deputy [redacted] advised via his portable radio that a deputy involved shooting occurred. He also requested Emergency Services Detail personnel to respond to the scene to treat the suspect. Deputy [redacted] reported his force used to Sergeant Anthony Baudino **[TRANSCRIBED INTERVIEWS, DEPUTY [redacted] IAB INTERVIEW, PAGE 20].**

Deputy [redacted] said if he had known the suspect was in the dumpster prior to discovering him, he could have handled this situation as a barricaded suspect incident. However, if the suspect still refused to surrender, the SEB team would have to eventually approach the dumpster. In terms of putting the canine into the dumpster with a potentially armed suspect, Deputy [redacted] said the dog was a tool, and had been used in that manner before **[TRANSCRIBED INTERVIEWS, DEPUTY [redacted] IAB INTERVIEW, PAGES 15 and 16].**

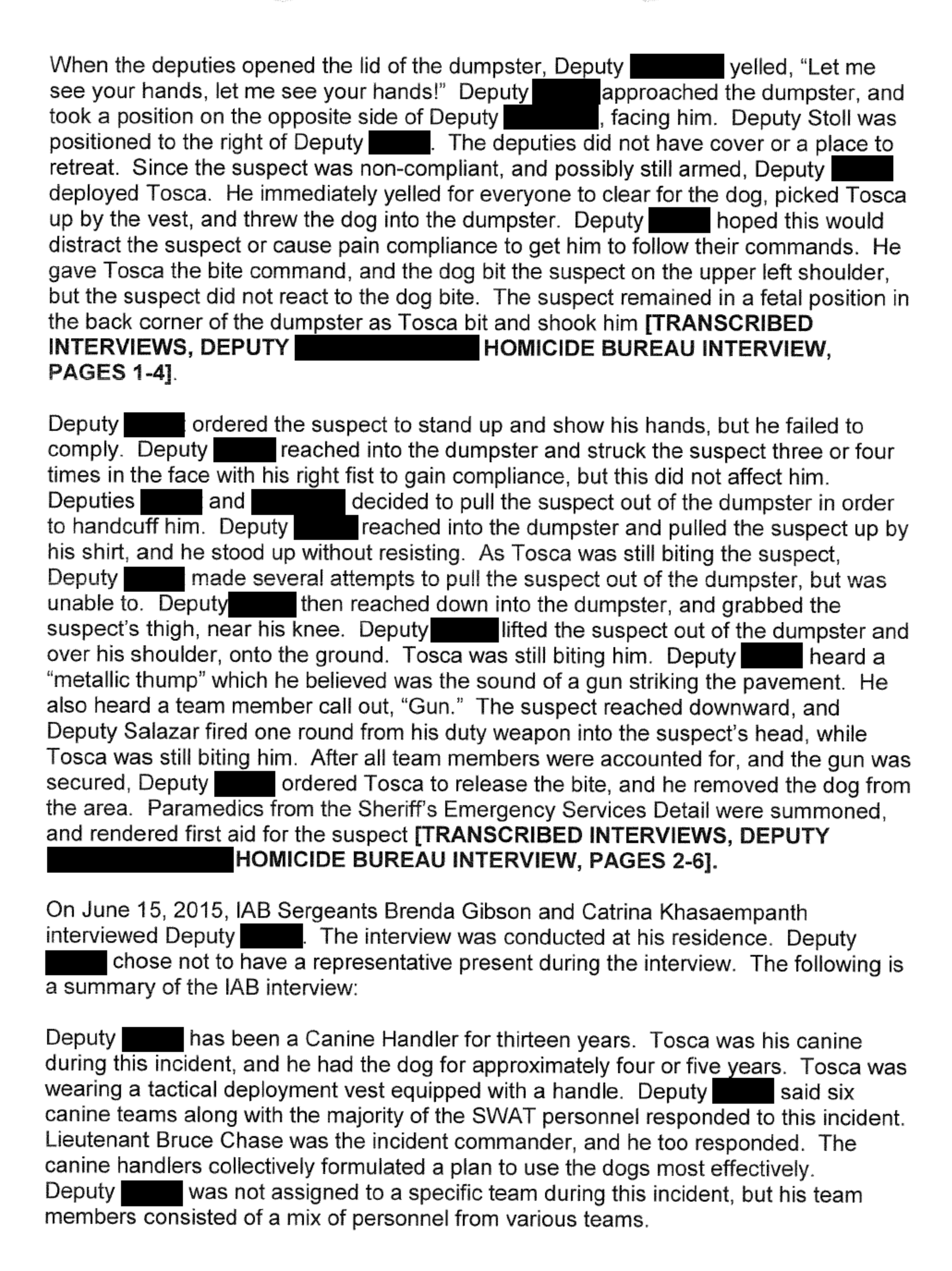
INVOLVED EMPLOYEE DEPUTY [redacted]

On August 9, 2014, Homicide Sergeants Howard Cooper and Chaffey Shepherd interviewed Deputy [redacted]. IAB Sergeant Brenda Gibson was also present. The interview is summarized in the Homicide Investigation Book **[EXHIBIT A, PAGES 68-70]**. The following is a brief summary of the homicide interview:

Deputy [redacted] is a twenty-three year veteran of the Los Angeles County Sheriff's Department. He was previously assigned to [redacted], and [redacted]. He is currently assigned to Special Enforcement Bureau's Canine detail, where he has been a Canine Handler since 2003. Deputy [redacted] wore a SWAT utility uniform, and a green tactical entry vest, both with Los Angeles County Sheriff's Department insignia. In addition, he wore a green tactical entry helmet. Deputy [redacted] was armed with his handgun, an H&K Model USP, full size, .45 caliber, secured in a hip holster on a nylon web belt. He also carried two extra magazines for his handgun, on his entry vest.

Deputy [redacted] responded to the scene with his canine, Tosca, to search for a deputy involved shooting suspect that was hiding within the contained area. The plan was to search from Seville Avenue eastbound on Flower, Hope, and Grand Avenues, using back to back search techniques with the canines. Deputy [redacted], and his team were assigned to search Grand Avenue, from Seville Avenue. The team staged in the driveway on the first property on Grand Avenue. The plan was to search the front area around the cars first, then down the driveway. Deputy [redacted] took Tosca off the leash, and sent the dog down the driveway. Tosca circled the cars, and "small private trash cans in the rear of the driveway" twice before Deputy [redacted] called the dog back, and put the leash back on. He did not see any "obvious visible signs of an alert" **[TRANSCRIBED INTERVIEWS, DEPUTY [redacted] HOMICIDE BUREAU INTERVIEW, PAGE 1 and DEPUTY [redacted] IAB INTERVIEW, PAGE 8].**

The team moved up to manually clear the area. Deputies [redacted] and Stoll moved forward to clear the dumpster.



When the deputies opened the lid of the dumpster, Deputy [redacted] yelled, "Let me see your hands, let me see your hands!" Deputy [redacted] approached the dumpster, and took a position on the opposite side of Deputy [redacted], facing him. Deputy Stoll was positioned to the right of Deputy [redacted]. The deputies did not have cover or a place to retreat. Since the suspect was non-compliant, and possibly still armed, Deputy [redacted] deployed Tosca. He immediately yelled for everyone to clear for the dog, picked Tosca up by the vest, and threw the dog into the dumpster. Deputy [redacted] hoped this would distract the suspect or cause pain compliance to get him to follow their commands. He gave Tosca the bite command, and the dog bit the suspect on the upper left shoulder, but the suspect did not react to the dog bite. The suspect remained in a fetal position in the back corner of the dumpster as Tosca bit and shook him **[TRANSCRIBED INTERVIEWS, DEPUTY [redacted] HOMICIDE BUREAU INTERVIEW, PAGES 1-4]**.

Deputy [redacted] ordered the suspect to stand up and show his hands, but he failed to comply. Deputy [redacted] reached into the dumpster and struck the suspect three or four times in the face with his right fist to gain compliance, but this did not affect him. Deputies [redacted] and [redacted] decided to pull the suspect out of the dumpster in order to handcuff him. Deputy [redacted] reached into the dumpster and pulled the suspect up by his shirt, and he stood up without resisting. As Tosca was still biting the suspect, Deputy [redacted] made several attempts to pull the suspect out of the dumpster, but was unable to. Deputy [redacted] then reached down into the dumpster, and grabbed the suspect's thigh, near his knee. Deputy [redacted] lifted the suspect out of the dumpster and over his shoulder, onto the ground. Tosca was still biting him. Deputy [redacted] heard a "metallic thump" which he believed was the sound of a gun striking the pavement. He also heard a team member call out, "Gun." The suspect reached downward, and Deputy Salazar fired one round from his duty weapon into the suspect's head, while Tosca was still biting him. After all team members were accounted for, and the gun was secured, Deputy [redacted] ordered Tosca to release the bite, and he removed the dog from the area. Paramedics from the Sheriff's Emergency Services Detail were summoned, and rendered first aid for the suspect **[TRANSCRIBED INTERVIEWS, DEPUTY [redacted] HOMICIDE BUREAU INTERVIEW, PAGES 2-6].**

On June 15, 2015, IAB Sergeants Brenda Gibson and Catrina Khasaempanth interviewed Deputy [redacted]. The interview was conducted at his residence. Deputy [redacted] chose not to have a representative present during the interview. The following is a summary of the IAB interview:

Deputy [redacted] has been a Canine Handler for thirteen years. Tosca was his canine during this incident, and he had the dog for approximately four or five years. Tosca was wearing a tactical deployment vest equipped with a handle. Deputy [redacted] said six canine teams along with the majority of the SWAT personnel responded to this incident. Lieutenant Bruce Chase was the incident commander, and he too responded. The canine handlers collectively formulated a plan to use the dogs most effectively. Deputy [redacted] was not assigned to a specific team during this incident, but his team members consisted of a mix of personnel from various teams.

His team members were Deputies Stoll, [redacted], Phillippi, Toone, Salazar and two Emergency Services Detail (ESD) members. In the past, Deputy [redacted] has worked, and trained with each team member. During this incident, Deputy [redacted] was in charge of directing the search. The area the incident took place was the first yard the team searched. Although, the team did not have specific assignments during this incident, Deputy [redacted] assumed the handle on the deployment of less lethal weapons since he was in control of the dog, and he carried a TASER **[TRANSCRIBED INTERVIEWS, DEPUTY [redacted] IAB INTERVIEW, PAGES 3-6 and 15].**

The team prepared to make entry with the dog in the driveway of the first property on Grand Avenue. Deputy [redacted] made several verbal standard canine announcements, and pointed out the areas with a flashlight that he wanted Tosca to search. He unleashed the dog, and Tosca searched those areas. Deputy [redacted] did not see any visible signs of an alert, and recalled the dog. In addition, Deputy [redacted] did not recall seeing Tosca pause at the pedestrian gate, but stated the pedestrian gate was closed during Tosca's search. He explained that a pause could be an indication of an alert or an indication of something the dog was interested in, like a cat or food. As Deputy [redacted] was putting the leash back on Tosca, his team members walked forward to clear the driveway. Deputy [redacted] was unaware that the team had moved forward through the pedestrian gate until he heard Deputy [redacted] yelling. Deputy [redacted] was positioned on the north side of the dumpster pointing his rifle inside it, and Deputy Stoll was on the south side. Deputy [redacted] did not see any other team members at the dumpster at that time **[TRANSCRIBED INTERVIEWS, DEPUTY [redacted] IAB INTERVIEW, PAGES 8-10 and 30-32]**.

IAB Note: **Deputy [redacted] marked his position when he heard Deputy [redacted] yelling, "Let me see your hands! Let me see your hands" [EXHIBIT F, PHOTOGRAPH 1]! In addition, Deputy [redacted] marked the location Tosca searched around the trash cans [EXHIBIT F, photograph 3].**

Believing that Deputies [redacted] and Stoll had found the suspect, Deputy [redacted] ran to the dumpster to assist while a team member advised via the radio that they were contacting the suspect. As Deputy [redacted] approached the south side of the dumpster, he saw the suspect curled in a fetal position facing west in the northeast corner of the dumpster, with his hands tucked into his chest area and his head down. Deputy [redacted] lifted Tosca, and yelled, "Clear for the dog," to alert his team members that the dog was being inserted. Since the dog had to see its target before Deputy [redacted] gave the bite command, he lifted the dog then threw the dog into the dumpster. Deputy [redacted] made the split second decision to use the dog because he hoped to deescalate the situation, and overcome the suspect's resistance without using deadly force. He explained that the team was in close proximity of a potentially armed suspect without available cover, and they did not have the option to back away because they would have lost visual advantage on the suspect.

In addition, Deputy [redacted] did not use the TASER because the suspect had already defeated the TASER previously **[TRANSCRIBED INTERVIEWS, DEPUTY [redacted] IAB INTERVIEW, PAGES 13, 14, 28 and 29]**.

IAB Note: Deputy [redacted] marked his position when he first saw the suspect inside the dumpster [EXHIBIT F, PHOTOGRAPH 3]. He also marked his position as well as Deputies [redacted] and Stoll's positions as he inserted Tosca into the dumpster, and engaged the suspect [EXHIBIT F, PHOTOGRAPH 2].

Tosca bit the suspect, with a full mouth, on his upper left shoulder. The suspect remained motionless, and did not show any reaction to the dog bite. Deputy [redacted] ordered the suspect to stand and show his hands for over a minute, but he failed to comply. Deputy [redacted] said he may have given the suspect commands in both English and Spanish, and believed the suspect understood the commands. The suspect also failed to comply with Deputy [redacted] commands. Since the suspect did not react to the dog bite, Deputy [redacted] feared the suspect was under the influence of a narcotic or completely "zoned out" **[TRANSCRIBED INTERVIEWS, DEPUTY [redacted] IAB INTERVIEW, PAGES 15-17]**.

Deputy [redacted] punched the suspect on the left side of his temple three or four times in order to break his concentration, but the suspect failed to react. Deputy [redacted] said he could not have handcuffed the suspect while he was inside the dumpster because the suspect was in the bottom of the dumpster with his fists clenched against his chest. Deputies [redacted] and [redacted] both reached into the dumpster, and tried to pull the suspect out. The suspect was "stiff and rigid," but they managed to get him to a "partially vertical position." Deputy [redacted] said because the suspect was "passively resisting," he used all his physical strength to get the suspect in a position to pull him out of the dumpster. After Deputy [redacted] made several failed attempts to pull the suspect out of the dumpster by his belt or shirt, he grabbed the suspect's pants near his left knee area. He and Deputy [redacted] then pulled the suspect out of the dumpster, and guided him to the ground. Deputy [redacted] heard the sound of a gun hitting the pavement, followed by a team member calling out, "Gun." The suspect was face down, with his head to the west and feet to the east. His hands were underneath him. Deputies Stoll and Salazar covered the suspect with their weapons. Deputy [redacted] saw the suspect reaching in a downward motion towards his feet, and believed he was reaching for the gun, but he did not see the gun. Deputy [redacted] grabbed Tosca by the vest to disengage the dog to get it out of the way. Deputy Salazar fired one round from his handgun into the suspect's head from less than an inch from his skull. Deputy [redacted] said team members were not in a crossfire situation. In addition, he was not concerned about a ricochet **[TRANSCRIBED INTERVIEWS, DEPUTY [redacted] IAB INTERVIEW, PAGES 17-25]**.

IAB Note: Deputy [redacted] marked his position as well as Deputies [redacted], Salazar and the suspect during the shooting [EXHIBIT F, PHOTOGRAPH 4].

Deputy [redacted] explained that if he had known in advance that the suspect was hiding inside the dumpster, he would have treated the incident as "a barricade from a distance behind cover." However, even in a barricade situation, if the suspect had not come out, the team would have eventually approached the dumpster.

INVOLVED EMPLOYEE DEPUTY EDSON SALAZAR

On August 9, 2014, Homicide Sergeants Howard Cooper and Chaffey Shepherd interviewed Deputy Salazar. The interview is summarized in the Homicide Investigation Book **[EXHIBIT A, PAGES 70-72]**. The following is a brief summary of the homicide interview:

Deputy Salazar is a nine year veteran of the Los Angeles County Sheriff's Department. He was previously assigned to [redacted], and [redacted]. Deputy Salazar is currently assigned to Special Enforcement Bureau, and has been assigned there since January of 2014. He wore a SWAT utility uniform, and a green tactical entry vest, both with Los Angeles County Sheriff's Department insignia. In addition, he wore a green tactical entry helmet. Deputy Salazar was armed with his handgun, a Smith & Wesson Model M&P, 9 millimeter, fully loaded, with a Surefire tactical light attached, and secured in a hip holster on a nylon web belt. In addition, Deputy Salazar carried two extra magazines on his belt for his handgun. He also carried a Colt Model M4, .556 caliber, assault rifle loaded with one 30 round magazine. The weapon was secured to his upper torso by a nylon tactical sling. Deputy Salazar carried two extra 30 round magazines for his M4 on his entry vest. Both weapons were Department issued **[TRANSCRIBED INTERVIEWS, DEPUTY EDSON SALAZAR'S HOMICIDE BUREAU INTERVIEW, PAGES 1 and 2]**.

Deputy Salazar responded to the command post with the SWAT van containing all the team's equipment. He attended a pre briefing where he was assigned to a search team with Deputies [redacted], Andrew Toone, [redacted] and Adam Stoll. The team was instructed to search the area for an armed suspect that had shot at a deputy. Canine and Aero Bureau personnel formulated a plan on how the search was going to be conducted. The team walked eastbound on Grand Avenue, on the north side of the street, to the first property. As the canine and other team members searched the yard where the incident occurred, Deputy Salazar checked the yard east of that location. As he walked back to rejoin the team, he heard, "Let me see your hands. Let me see your hands." Believing that his team members had contacted the suspect, he went to assist. Since enough team members had the suspect at gunpoint, Deputy Salazar decided he would be the person designated to handcuff the suspect. Deputy [redacted] put his dog in the dumpster. Deputy Salazar saw the suspect crouched down in the northeast portion of the dumpster, with his hands clenched near his waist. The dog was latched onto the suspect's left upper arm area, but the suspect did not react to the dog bite. Instead, the suspect fought with the dog **[TRANSCRIBED INTERVIEWS, DEPUTY EDSON SALAZAR'S HOMICIDE BUREAU INTERVIEW, PAGES 2-4]**.

Team members ordered the suspect to stand up and get out of the dumpster numerous times, but he failed to comply. A team member grabbed the suspect, and attempted to pull him out of the dumpster. The suspect was now standing. When a team member said, "Pull him out of the trashcan," Deputy Salazar took a position on the north end of the dumpster to assist. Deputy Salazar attempted to grab, and pull the suspect out of the dumpster, but failed because the suspect was apparently holding onto the inside lip of the dumpster. Deputy Salazar punched the suspect two or three times in the face to gain compliance. Another team member also hit the suspect twice. Deputies [redacted] and [redacted] then pulled the suspect out of the dumpster, onto the ground, chest down. Deputy Salazar immediately saw a large revolver fall from the suspect's waistband onto the ground on the suspect's right side, where he was standing. At least two team members said, "Gun, gun, gun." The suspect grabbed the gun with his right hand, and turned his upper torso towards Deputy Salazar. Believing the suspect was going to shoot him or another team member, Deputy Salazar drew his handgun, and fired one contact shot to the suspect's head **[TRANSCRIBED INTERVIEWS, DEPUTY EDSON SALAZAR'S HOMICIDE BUREAU INTERVIEW, PAGES 4-9].**

On July 2, 2015, IAB Sergeants Brenda Gibson and Catrina Khasaempanth interviewed Deputy Salazar. The interview was conducted at the IAB office. Attorney Amanda Waters from the law firm of Green & Shinee represented Deputy Salazar. The following is a summary of the IAB interview:

During this incident, Deputy Salazar worked with Deputies [redacted], Andrew Toone, [redacted], Adam Stoll and Jason Phillippi. Deputy Salazar worked, and trained, with the aforementioned team members for the entire time he was assigned to the Bureau. During the briefing, Canine and Aero Bureau personnel devised a plan to search the contained area for the suspect, who had shot a deputy in the arm. Deputy Salazar and the team were to assist Canine with yard searches on Grand Avenue, east from Seville Avenue. The team did not have specific assignments as far as who was going to handle less lethal or lethal weaponry because their roles often changed depending upon their contact with the suspect. The team did not use a shield during this incident. Deputy Salazar carried a portable radio, and believed he was on the SEB Clear 1 frequency. He did not carry a TASER. **[TRANSCRIBED INTERVIEWS, DEPUTY EDSON SALAZAR'S IAB INTERVIEW, PAGES 8-11]**.

Deputy Salazar was not sure, but he believed the gate on the property where the incident occurred was closed when the team arrived. He said Canine led the team during the approach, and he was towards the end of the line. Deputy Salazar did not recall hearing any Canine announcements regarding deploying the dog. He also did not know what team member said, "Let me see your hands. Let me see your hands," but saw Deputies Toone and [redacted] holding the suspect at gunpoint. The deputies were not in a crossfire situation. Deputy Salazar said he, along with Deputies Toone and [redacted], gave the suspect verbal commands to stand up and to put his hands up, prior to deploying the dog **[TRANSCRIBED INTERVIEWS, DEPUTY EDSON SALAZAR'S IAB INTERVIEW, PAGES 12-14]**.

IAB Note: Deputy Salazar marked the suspect's position, and other team members' positions, with a black pen, when he arrived on scene [EXHIBIT G, PHOTOGRAPH 1].

The dog latched on to the suspect's left upper arm area. The suspect was in a "full squat" position, while crouched down with his back against the northeast corner of the dumpster. The suspect's hands were clenched at his chest, and then his waist. The dog pulled the suspect in a southern direction, while the suspect pulled towards the north. The suspect had an angry look on his face, but he never said a word during the entire incident. Deputy Salazar could not handcuff the suspect because he could not reach that far down into the dumpster. Deputies Toone, [redacted] and [redacted] ordered the suspect to stand up, and exit the dumpster. Deputy [redacted] then grabbed the suspect, and attempted to pull him out of the dumpster, but only managed to pull the suspect to his feet instead. Deputy Salazar grabbed the back of the suspect's shirt collar around his shoulder area with his right hand, then grabbed the suspect's rear right back pocket with his left hand. The suspect held on to the lip of the dumpster, and the deputies were unable to pull him out. Deputy Salazar punched the suspect on the right side of his face with his right fist. The suspect closed his eyes, and loosened his grip on the dumpster. Another team member hit the suspect in the face twice **[TRANSCRIBED INTERVIEWS, DEPUTY EDSON SALAZAR'S IAB INTERVIEW, PAGES 14-19]**.

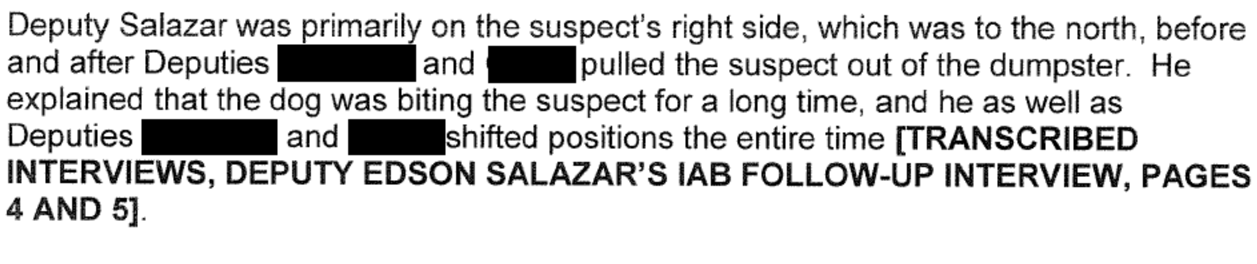
IAB Note: Deputy Salazar marked the suspect's position, his position and Deputy [redacted] position, with a green marker, as they attempted to pull the suspect out of the dumpster. This was also their location when Deputy Salazar punched the suspect in the face [EXHIBIT G, PHOTOGRAPH 1].

As Deputies Salazar and [redacted] pulled the suspect halfway out of the dumpster, Deputy Salazar stepped out of the way, while Deputies [redacted] and [redacted] continued pulling. The deputies pulled the suspect out of the dumpster, onto the ground, where he landed flat on his stomach with his hands underneath him, near his chest. The revolver fell from his waistband onto the ground, on the suspect's right side. Deputy Salazar heard Deputy Toone yell, "Gun, gun, gun!" The suspect reached down with his right hand, grabbed the butt of the gun, and turned towards Deputy Salazar, who was on the suspect's right side. Fearing for his safety, and the safety of his team members, Deputy Salazar shot the suspect in the back, right side of his head, at close range, with his handgun. His backdrop at the time of the shooting was cement. The deputies were not in a crossfire situation, and Deputy Salazar was not concerned about a ricochet. The shooting occurred during daylight hours, and Deputy Salazar did not have cover or concealment available **[TRANSCRIBED INTERVIEWS, DEPUTY EDSON SALAZAR'S IAB INTERVIEW, PAGES 20-26]**.

IAB Note: Deputy Salazar marked his position, the suspect's position, as well as Deputies [redacted], [redacted] and Toone's positions during the shooting [EXHIBIT G, PHOTOGRAPH 2].

The team was unaware that the suspect was hiding inside the dumpster at the time of this incident. According to Deputy Salazar, if they had known, this incident would have been handled as a barricade situation **[TRANSCRIBED INTERVIEWS, DEPUTY EDSON SALAZAR'S IAB INTERVIEW, PAGES 24-25]**.

On October 12, 2015, IAB Sergeants Brenda Gibson and Michael Fredericks conducted a follow-up interviewed with Deputy Salazar. The follow-up interview was conducted at the IAB office. Attorney Amanda Waters from the law firm of Green & Shinee represented Deputy Salazar. The purpose of the follow up interview was to clarify Deputy Salazar's position before and during the shooting. The following is a summary of the IAB follow-up interview:



Deputy Salazar was primarily on the suspect's right side, which was to the north, before and after Deputies [redacted] and [redacted] pulled the suspect out of the dumpster. He explained that the dog was biting the suspect for a long time, and he as well as Deputies [redacted] and [redacted] shifted positions the entire time **[TRANSCRIBED INTERVIEWS, DEPUTY EDSON SALAZAR'S IAB FOLLOW-UP INTERVIEW, PAGES 4 AND 5]**.

IAB Note: Deputy Salazar marked his position, as well as Deputies [redacted] and [redacted] positions when the suspect was pulled out of the dumpster [EXHIBIT G, PHOTOGRAPH 3].

Deputies [redacted] and [redacted] released their hold on the suspect once he was on the ground. In addition, the dog was not still biting the suspect after he was on the ground. The suspect was positioned with his head to the west and his feet to the east **[TRANSCRIBED INTERVIEWS, DEPUTY EDSON SALAZAR'S IAB FOLLOW-UP INTERVIEW, PAGES 9 AND 10]**. Deputy Salazar was standing near the suspect's feet, and was moving forward to handcuff the suspect when he saw the suspect's gun fall from his waistband onto the ground, on the suspect's right side. Deputy Salazar paused as the suspect grabbed the gun, lifted his right shoulder and started to turn his body in a northerly direction. The entire incident happened quickly. Deputy Salazar was approximately six inches to a foot and a half away from the suspect when he shot him in the back of the head with his handgun, using only his right hand. Deputy Salazar did not recall exactly where he shot the suspect on the back of the head, but believed it was closer to the right side of the head because he was standing closer to the suspect's right side, but near his feet. Deputy Salazar said he possibly could have shifted to the suspect's left side prior to shooting him to avoid a crossfire situation **[TRANSCRIBED INTERVIEWS, DEPUTY EDSON SALAZAR'S IAB FOLLOW-UP INTERVIEW, PAGES 11-15 and 18]**.

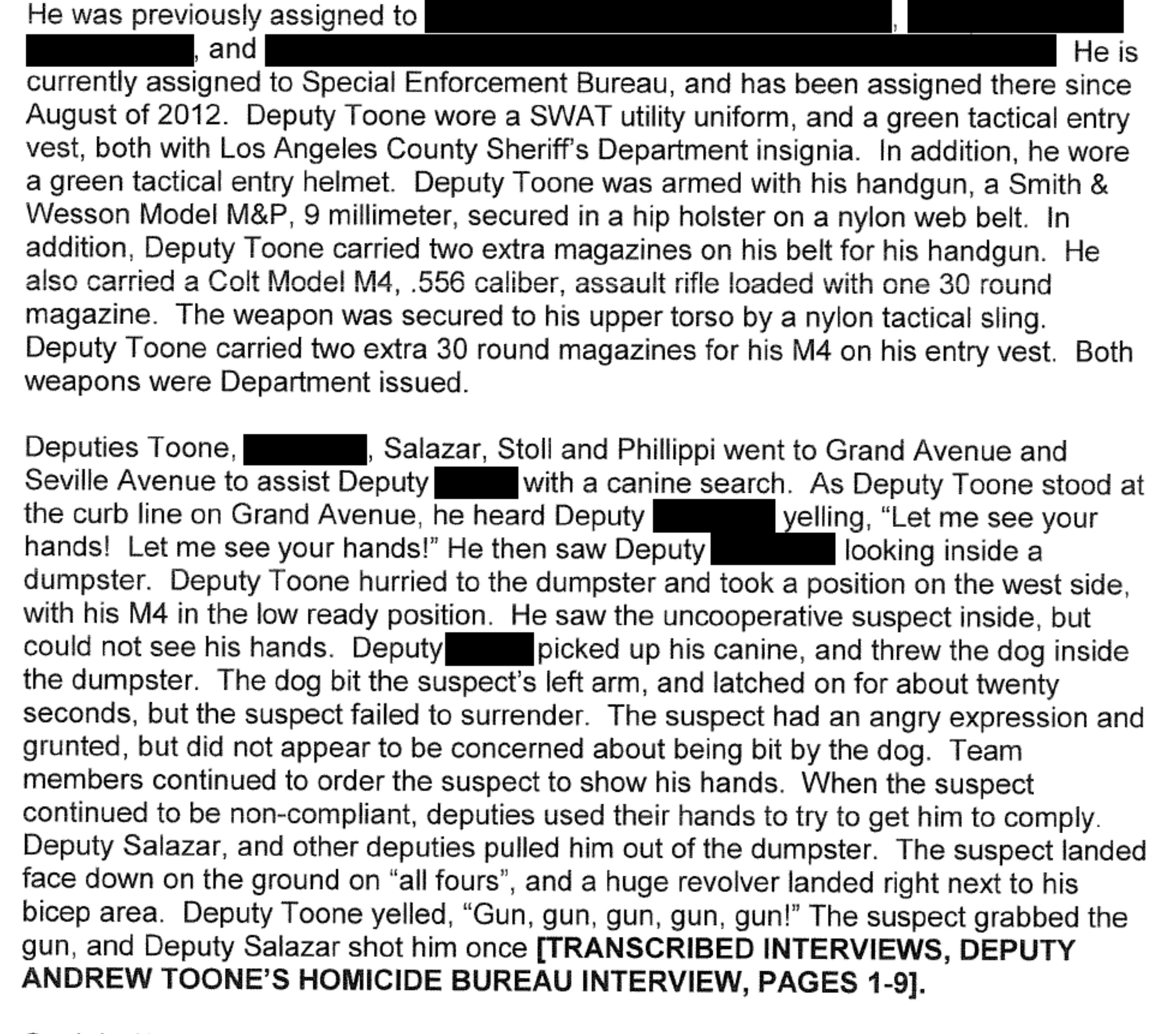
IAB Note: Deputy Salazar marked his positions before and during the shooting [EXHIBIT G, PHOTOGRAPH 4].

After the shooting, Deputy Salazar assessed the situation, then kicked the gun in a northerly direction, away from the suspect.

In addition, Deputy Salazar's handgun had a "stove pipe" malfunction, which he cleared before re-holstering his weapon **[TRANSCRIBED INTERVIEWS, DEPUTY EDSON SALAZAR'S IAB FOLLOW-UP INTERVIEW, PAGES 17-19]**.

<u>WITNESS EMPLOYEE DEPUTY ANDREW TOONE</u>

On August 9, 2014, Homicide Sergeants Howard Cooper and Chaffey Shepherd interviewed Deputy Toone. IAB Sergeant Brenda Gibson was also present. The interview is summarized in the Homicide Investigation Book **[EXHIBIT A, PAGES 66-68]**. The following is a brief summary of the homicide interview:



Deputy Toone is a fifteen year veteran of the Los Angeles County Sheriff's Department. He was previously assigned to [redacted], [redacted], and [redacted] He is currently assigned to Special Enforcement Bureau, and has been assigned there since August of 2012. Deputy Toone wore a SWAT utility uniform, and a green tactical entry vest, both with Los Angeles County Sheriff's Department insignia. In addition, he wore a green tactical entry helmet. Deputy Toone was armed with his handgun, a Smith & Wesson Model M&P, 9 millimeter, secured in a hip holster on a nylon web belt. In addition, Deputy Toone carried two extra magazines on his belt for his handgun. He also carried a Colt Model M4, .556 caliber, assault rifle loaded with one 30 round magazine. The weapon was secured to his upper torso by a nylon tactical sling. Deputy Toone carried two extra 30 round magazines for his M4 on his entry vest. Both weapons were Department issued.

Deputies Toone, [redacted], Salazar, Stoll and Phillippi went to Grand Avenue and Seville Avenue to assist Deputy [redacted] with a canine search. As Deputy Toone stood at the curb line on Grand Avenue, he heard Deputy [redacted] yelling, "Let me see your hands! Let me see your hands!" He then saw Deputy [redacted] looking inside a dumpster. Deputy Toone hurried to the dumpster and took a position on the west side, with his M4 in the low ready position. He saw the uncooperative suspect inside, but could not see his hands. Deputy [redacted] picked up his canine, and threw the dog inside the dumpster. The dog bit the suspect's left arm, and latched on for about twenty seconds, but the suspect failed to surrender. The suspect had an angry expression and grunted, but did not appear to be concerned about being bit by the dog. Team members continued to order the suspect to show his hands. When the suspect continued to be non-compliant, deputies used their hands to try to get him to comply. Deputy Salazar, and other deputies pulled him out of the dumpster. The suspect landed face down on the ground on "all fours", and a huge revolver landed right next to his bicep area. Deputy Toone yelled, "Gun, gun, gun, gun, gun!" The suspect grabbed the gun, and Deputy Salazar shot him once **[TRANSCRIBED INTERVIEWS, DEPUTY ANDREW TOONE'S HOMICIDE BUREAU INTERVIEW, PAGES 1-9]**.

On July 15, 2015, IAB Sergeants Brenda Gibson and Catrina Khasaempanth interviewed Deputy Toone. The interview was conducted at the IAB office.

Deputy Toone chose not to have a representative present during the interview. The following is a summary of the IAB interview:

During this incident Deputy Toone worked with Deputies [redacted], [redacted], Stoll, Salazar and Phillippi. He has worked with each team member during his tenure at SEB. He trained with the SWAT team members every Monday, but did not recall if he had trained with Canine Handler Deputy [redacted] before, or after, this incident. The plan was to assist Deputy [redacted] with an area search for an armed suspect that shot a deputy. Deputy Toone carried a portable radio, and believed he was on Frequency Clear 1 or Clear 2. He did not carry a TASER or use a shield. Deputy Toone explained that the team does not use shields in open area searches. Deputy Toone carried his M4 in the low ready position for safety reasons. However, Deputy Toone explained that his rifle was in a position that if he needed it quickly, he could point it wherever he needed to **[TRANSCRIBED INTERVIEWS, DEPUTY ANDREW TOONE'S IAB INTERVIEW, PAGES 3-10]**.

Deputy Toone was preparing to conduct a door knock at the residence east of the dumpster because he thought the area around the dumpster had already been cleared. He was walking with Deputy [redacted] when he heard Deputy [redacted] say, "Let me see your hands. Let me see your hands." He saw Deputy [redacted] standing near the dumpster.

IAB Note: Deputy Toone marked his position when he heard Deputy [redacted] ordering the suspect to show his hands [EXHIBIT H, PHOTOGRAPH 1]. In addition, Deputy Toone marked Deputy [redacted] position while he gave the suspect commands [EXHIBIT H, PHOTOGRAPH 2].

Deputy Toone approached the dumpster, and saw the suspect lying on his back, "cradled up" in a baby position. Deputy Toone saw the suspect's arms, but could not clearly see the suspect's hands. However, he believed the suspect's hands were somewhere around his waist. Team members continued yelling, "Hands, hands, let me see your hands!" The suspect failed to comply. Deputy [redacted] picked up his canine and dropped the dog into the dumpster. Deputy Toone did not recall if Deputy [redacted] made any announcements before dropping the canine into the dumpster. The dog bit the suspect's left arm, but the suspect stayed in the same position, grunted, and still refused to show his hands. Deputy Toone covered the suspect by pointing his M4 at the dumpster, and Deputy [redacted] gave the suspect commands. Deputies gave the suspect continuous commands for at least one minute **[TRANSCRIBED INTERVIEWS, DEPUTY ANDREW TOONE'S IAB INTERVIEW, PAGES 10- 15 and 22]**.

IAB Note: Deputy Toone marked his position, as well as Deputy [redacted] position when Deputy [redacted] dropped his canine into the dumpster [EXHIBIT H, PHOTOGRAPH 3].

During his Homicide Bureau interview, Deputy Toone stated deputies were "using their hands" to get the suspect to comply, but he did not recall what he meant by that statement. When this investigator asked him if he saw any deputies punch the suspect, he said he did not recall. Deputy Toone said when deputies pulled the suspect out of the dumpster, he landed on his hands and knees, with his head facing Seville Avenue, and his feet towards the dumpster. A huge revolver fell out simultaneously with the suspect, and Deputy Toone yelled, "Hey, gun, gun, gun, gun, gun!" Deputy Toone was pointing his M4 at the suspect at the time, but chose not to use the weapon due to the high potential of a ricochet. Since Deputy Salazar was behind him, Deputy Toone told Deputy Salazar he was responsible for handcuffing the suspect. However, the suspect quickly grabbed the gun, and Deputy Salazar shot him in the head. Deputy Toone did not see the suspect point the gun at anyone **[TRANSCRIBED INTERVIEWS, DEPUTY ANDREW TOONE'S IAB INTERVIEW, PAGES 16- 19]**.

IAB Note: Deputy Toone marked his position, the suspect's position, and Deputy Salazar's position during the shooting [EXHIBIT H, PHOTOGRAPH 4].

The deputies were not in a cross fire situation. The deputies did not have cover or concealment available during the shooting. Deputy Toone was not aware that the suspect was hiding inside the dumpster before he saw him.

Deputy Toone explained that if he had known the suspect was hiding inside the dumpster, he would have handled the situation as a barricaded suspect incident **[TRANSCRIBED INTERVIEWS, DEPUTY ANDREW TOONE'S IAB INTERVIEW, PAGES 19-22]**.

<u>WITNESS EMPLOYEE DEPUTY ADAM STOLL</u>

On August 9, 2014, Homicide Sergeants Howard Cooper and Chaffey Shepherd interviewed Deputy Stoll. IAB Sergeant Brenda Gibson was also present.
The interview is summarized in the Homicide Investigation Book **[EXHIBIT A, PAGES 62-64]**. The following is a brief summary of the homicide interview:

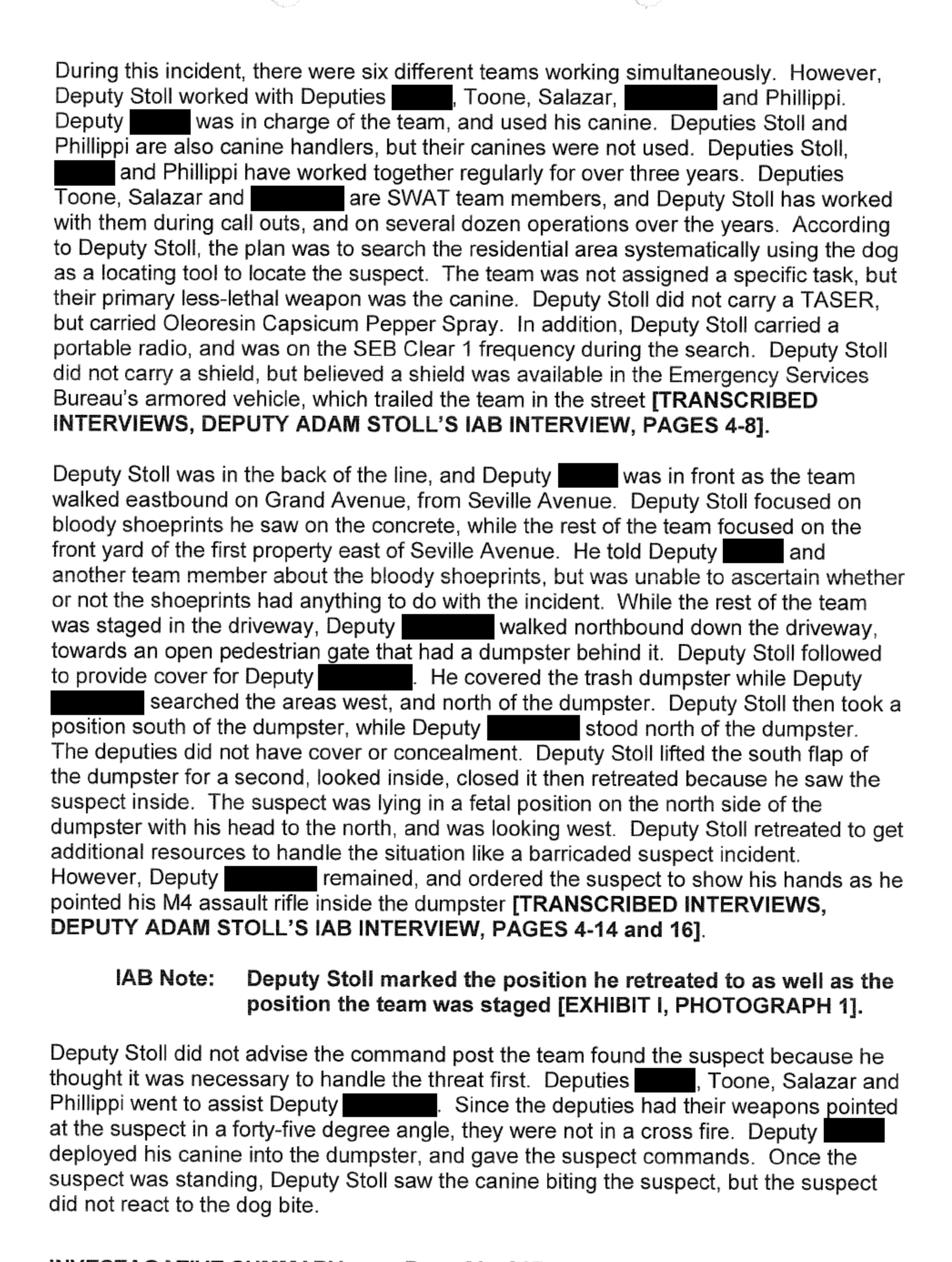
Deputy Stoll is a twelve year veteran of the Los Angeles County Sheriff's Department. He was previously assigned to [redacted], [redacted] and [redacted]. He is currently assigned to Special Enforcement Bureau as a canine handler, and has been assigned there since October of 2011. Deputy Stoll wore a SWAT utility uniform, and a green tactical entry vest, both with Los Angeles County Sheriff's Department insignia. In addition, he wore a green tactical entry helmet. Deputy Stoll was armed with his handgun, a Smith & Wesson Model M&P, 9 millimeter, secured in a hip holster on a nylon web belt. In addition, he carried three extra magazines on his belt for his handgun. He also carried a H&K Model MP5, 9 millimeter, sub machine gun loaded with one 30 round magazine.

The weapon was secured to Deputy Stoll's upper torso by a nylon tactical sling. Deputy Stoll carried one extra 30 round MP5 magazine on his entry vest. Both weapons were Department issued.

Deputy Stoll responded to the area of Grand Avenue and Seville Avenue to search for an armed suspect that had been involved in a prior deputy involved shooting. His team consisted of Deputies [redacted] Toone, Salazar, [redacted] and Phillippi. As the team proceeded to the location where the incident occurred, Deputy Stoll stopped to examine bloody shoeprints on the northeast corner of the sidewalk on Grand Avenue. Deputy [redacted] instructed his canine to search the front yard of the residence, and Deputy Stoll told Deputy [redacted] about the bloody shoeprints he had found. Deputy [redacted] recalled his dog. Deputy [redacted] walked northbound down the driveway towards a pedestrian gate by himself. Deputy Stoll followed to support him. The pedestrian gate was opened about a foot, and Deputy Stoll visually cleared the area around the dumpster. Deputy [redacted] cleared the alcove to the west of the dumpster, and they both cleared the area north of the dumpster **[TRANSCRIBED INTERVIEWS, DEPUTY ADAM STOLL'S HOMICIDE BUREAU INTERVIEW, PAGES 1-5]**.

Deputy Stoll then took a position south of the dumpster while Deputy [redacted] took a position north of the dumpster. The dumpster had two flaps on top. Deputy Stoll lifted the south flap about four inches to peek inside. He saw the suspect hiding inside, and immediately closed the flap. He then retreated south to notify the team he located the suspect. However, Deputy [redacted], lifted the north flap, and immediately gave the suspect commands to get out of the dumpster. Deputy Stoll explained that he and Deputy [redacted] rarely worked together, and they had not talked about what they would do if they encountered the suspect. The rest of Deputy Stoll's team members proceeded past him to assist Deputy [redacted]. After Deputies [redacted] and [redacted] gave the suspect numerous commands to step out of the dumpster and to show his hands, Deputy [redacted] canine engaged the suspect inside the dumpster. The deputies ordered the suspect again to show his hands, and to step out of the dumpster. Deputy Stoll then saw the suspect standing inside the dumpster with the canine biting him. As Deputies [redacted] and [redacted] ordered the suspect to crawl out of the dumpster, he fought with the deputies. Deputy [redacted] grabbed the left side of the suspect's body while Deputy [redacted] grabbed the right side, and they pulled the suspect out of the dumpster as he fought. Deputy Stoll heard the sound of a gun striking the concrete, followed by a deputy's announcement of such. He then heard a single gunshot. Deputy Stoll explained that he did not see the gun strike the concrete, and he did not see who fired the gunshot because he was behind at least five deputies **[TRANSCRIBED INTERVIEWS, DEPUTY ADAM STOLL'S HOMICIDE BUREAU INTERVIEW, PAGES 2-3 and 5-8]**.

On May 26, 2015, IAB Sergeants Brenda Gibson and Catrina Khasaempanth interviewed Deputy Stoll. The interview was conducted at the IAB office. Deputy Stoll chose not to have a representative present during the interview. The following is a summary of the IAB interview:


During this incident, there were six different teams working simultaneously. However, Deputy Stoll worked with Deputies [redacted], Toone, Salazar, [redacted] and Phillippi. Deputy [redacted] was in charge of the team, and used his canine. Deputies Stoll and Phillippi are also canine handlers, but their canines were not used. Deputies Stoll, [redacted] and Phillippi have worked together regularly for over three years. Deputies Toone, Salazar and [redacted] are SWAT team members, and Deputy Stoll has worked with them during call outs, and on several dozen operations over the years. According to Deputy Stoll, the plan was to search the residential area systematically using the dog as a locating tool to locate the suspect. The team was not assigned a specific task, but their primary less-lethal weapon was the canine. Deputy Stoll did not carry a TASER, but carried Oleoresin Capsicum Pepper Spray. In addition, Deputy Stoll carried a portable radio, and was on the SEB Clear 1 frequency during the search. Deputy Stoll did not carry a shield, but believed a shield was available in the Emergency Services Bureau's armored vehicle, which trailed the team in the street **[TRANSCRIBED INTERVIEWS, DEPUTY ADAM STOLL'S IAB INTERVIEW, PAGES 4-8].**

Deputy Stoll was in the back of the line, and Deputy [redacted] was in front as the team walked eastbound on Grand Avenue, from Seville Avenue. Deputy Stoll focused on bloody shoeprints he saw on the concrete, while the rest of the team focused on the front yard of the first property east of Seville Avenue. He told Deputy [redacted] and another team member about the bloody shoeprints, but was unable to ascertain whether or not the shoeprints had anything to do with the incident. While the rest of the team was staged in the driveway, Deputy [redacted] walked northbound down the driveway, towards an open pedestrian gate that had a dumpster behind it. Deputy Stoll followed to provide cover for Deputy [redacted]. He covered the trash dumpster while Deputy [redacted] searched the areas west, and north of the dumpster. Deputy Stoll then took a position south of the dumpster, while Deputy [redacted] stood north of the dumpster. The deputies did not have cover or concealment. Deputy Stoll lifted the south flap of the dumpster for a second, looked inside, closed it then retreated because he saw the suspect inside. The suspect was lying in a fetal position on the north side of the dumpster with his head to the north, and was looking west. Deputy Stoll retreated to get additional resources to handle the situation like a barricaded suspect incident. However, Deputy [redacted] remained, and ordered the suspect to show his hands as he pointed his M4 assault rifle inside the dumpster **[TRANSCRIBED INTERVIEWS, DEPUTY ADAM STOLL'S IAB INTERVIEW, PAGES 4-14 and 16]**.

IAB Note: Deputy Stoll marked the position he retreated to as well as the position the team was staged [EXHIBIT I, PHOTOGRAPH 1].

Deputy Stoll did not advise the command post the team found the suspect because he thought it was necessary to handle the threat first. Deputies [redacted], Toone, Salazar and Phillippi went to assist Deputy [redacted]. Since the deputies had their weapons pointed at the suspect in a forty-five degree angle, they were not in a cross fire. Deputy [redacted] deployed his canine into the dumpster, and gave the suspect commands. Once the suspect was standing, Deputy Stoll saw the canine biting the suspect, but the suspect did not react to the dog bite.

Deputy [redacted] grabbed the suspect's left arm, and front of his shirt near his chest, while Deputy [redacted] grabbed the suspect's right arm, and the front of his shirt near his chest. The deputies tried to control the suspect, but were unable to because the suspect resisted. However, Deputy Stoll did not see any deputies punch the suspect. Deputy [redacted] continued giving the suspect commands, but he would not respond. Deputies [redacted] and [redacted] then pulled the suspect out of the dumpster. Deputy Stoll heard the sound of metal hitting the concrete and assumed it was the suspect's gun, but he did not actually see the gun. He heard a deputy announce, "Gun," followed by, "Show us your hands. Let me see your hands." Deputy Stoll's state of mind during the shooting was to get the dog out of the problem because this was no longer a less-lethal situation. Deputy Stoll's view of the suspect on the ground was obstructed because he was positioned behind his team members. In addition, Deputy Stoll did not see the shooting **[TRANSCRIBED INTERVIEWS, DEPUTY ADAM STOLL'S IAB INTERVIEW, PAGES 14- 23]**.

IAB Note: **Deputy Stoll marked Deputies [redacted] and [redacted] positions when they initially contacted the suspect. In addition, he marked the suspect and team's positions during the shooting [EXHIBIT I, PHOTOGRAPH 2].**

WITNESS EMPLOYEE DEPUTY JASON PHILLIPPI

On August 9, 2014, Homicide Sergeants Howard Cooper and Chaffey Shepherd interviewed Deputy Phillippi. IAB Sergeant Brenda Gibson was also present. The interview is summarized in the Homicide Investigation Book **[EXHIBIT A, PAGES 59-61]**. The following is a brief summary of the homicide interview:

Deputy Phillippi is a nineteen year veteran of the Los Angeles County Sheriff's Department. He was previously assigned to [redacted] and [redacted]. He is currently assigned to Special Enforcement Bureau as a canine handler, and has been assigned there since January of 2007. Deputy Phillippi wore a SWAT utility uniform, and a green tactical entry vest, both with Los Angeles County Sheriff's Department insignia. In addition, he wore a green tactical entry helmet. Deputy Phillippi was armed with his handgun, a Smith & Wesson Model M&P, 9 millimeter, secured in a hip holster on a nylon web belt. In addition, he carried five extra magazines for his handgun, and a "Leatherman" utility tool on his belt. He also carried flex cuffs in his rear pants pocket.

Deputy Phillippi responded to the Walnut Park area to assist with an area search for a suspect wanted for a deputy involved shooting. His team members were Deputies [redacted], [redacted], Toone, Stoll and Salazar. Deputy [redacted] lead the search team with his canine. The team cleared the front yard of the business located on the northeast corner of the property where the dumpster was located. Deputy Phillippi was at the back of the group when Deputy [redacted] deployed his canine to search the driveway leading to the dumpster.

Deputy Phillippi did not see how far down the driveway the canine searched before Deputy [redacted] called the dog back **[TRANSCRIBED INTERVIEWS, DEPUTY JASON PHILLIPPI'S HOMICIDE BUREAU INTERVIEW, PAGES 1, 3 and 4]**.

As Deputy [redacted] approached the dumpster, Deputy Phillippi went to assist. Deputy [redacted] lifted up the north side flap of the dumpster and said, "Let me see your hands." Deputy Phillippi lifted up the south side flap, and saw the suspect sitting quietly inside the dumpster with a blank stare. He then moved three to four feet away from the dumpster on the west side of it to avoid a potential cross fire situation. However, in this position, Deputy Phillippi could no longer see the suspect. Deputy [redacted] ordered the suspect multiple times to show his hands, but he failed to comply. Deputy [redacted] put his canine into the dumpster, and directed the dog to apprehend the suspect. Deputy Phillippi heard the dog biting the suspect, but did not hear the suspect say anything. Deputies [redacted] and [redacted] reached into the dumpster to pull the suspect out. As they pulled the suspect, Deputy Phillippi saw the dog biting his left bicep area. The suspect was crouched down, "tensed up," and his hands were not visible **[TRANSCRIBED INTERVIEWS, DEPUTY JASON PHILLIPPI'S HOMICIDE BUREAU INTERVIEW, PAGES 1, 2, 4-6]**.

Deputies [redacted] and [redacted] pulled the suspect out of the dumpster onto the ground, where he landed in a fetal position on his hands, elbows, and knees, with his hands tucked under him. Deputy Phillippi holstered his weapon, which he had previously been holding in the "low ready" position, and had the flex cuffs ready to handcuff the suspect. However, Deputy Phillippi heard the sound of a metal object hitting the ground, followed by the word, "Gun." He then saw a large handgun on the ground below the suspect. When the suspect reached down and grabbed the gun with his right hand, Deputy Salazar placed his handgun to the suspect's head, and fired one round. The suspect collapsed onto the pavement, and remained motionless **[TRANSCRIBED INTERVIEWS, DEPUTY JASON PHILLIPPI'S HOMICIDE BUREAU INTERVIEW, PAGES 1, 2, 4-9]**.

On June 1, 2015, IAB Sergeants Brenda Gibson and Catrina Khasaempanth interviewed Deputy Phillippi. The interview was conducted at the IAB office. Deputy Phillippi chose not to have a representative present during the interview. The following is a summary of the IAB interview:

During this incident, Deputy Phillippi worked with Deputies [redacted], [redacted], Toone, Stoll and Salazar. He has worked with Deputies [redacted] and [redacted] for eight years, Deputy Stoll four years, Deputy Toone two years, and Deputy Salazar six months. In addition, Deputy Phillippi has trained with the aforementioned deputies during their major training days, which were conducted four times a year. According to Deputy Phillippi, the team had a quick briefing before going to search the area. During the briefing, Deputy [redacted] talked about the team's responsibilities around the canine. In addition, the team designated assignments regarding dealing with the suspect. For example, Deputies [redacted], Stoll, and Phillippi were to use less-lethal weapons. Deputy [redacted] was to use his canine, Deputy Stoll his hands, and Deputy Phillippi a TASER.

In addition, Deputies [redacted] and Salazar were to use lethal weapons if necessary. Deputy Phillippi did not recall what Deputy Toone was responsible for. The plan was to have the canine search the areas first, followed by the deputies **[TRANSCRIBED INTERVIEWS, DEPUTY JASON PHILLIPPI'S IAB INTERVIEW, PAGES 5, 6, 8 and 9]**.

According to Deputy Phillippi, PA announcements regarding canine deployments would have been made ahead of time, before the teams began their separate searches. In addition to the PA announcements, each individual team would make verbal announcements before sending the canine in to search an area. Deputy Phillippi and his team members began their search southbound on Seville Avenue, to eastbound on Grand Avenue. The team cleared the front, and west side of the property with a sidewalk leading to a dumpster in the back. Deputy Phillippi stood on the sidewalk with Deputy [redacted], and heard him make a verbal announcement that he was going to send in his police dog. Deputy [redacted] dog then searched the driveway that led to the dumpster, but did not alert on the dumpster. Deputy Phillippi did not recall if the dog searched the area while on a leash, or off. He also said if the gate leading to the dumpster was closed, the dog would not have jumped over the gate to clear the area alone. However, if the dog was able to get to the dumpster, the dog probably would not have alerted on the dumpster because dumpsters seal in the smells **[TRANSCRIBED INTERVIEWS, DEPUTY JASON PHILLIPPI'S IAB INTERVIEW, PAGES 10-13]**.

Deputy Phillippi heard Deputy [redacted] say, "Hands up," and saw that he had flipped open the north side flap of the dumpster, and had his Colt rifle pointing inside. Deputy Phillippi was the first team member to reach Deputy [redacted], and lifted the south side flap open. Deputy Phillippi saw the suspect in the dumpster sitting on his butt with his knees pulled up, and his hands partially hidden. Deputy Phillippi then repositioned himself west of the dumpster to prevent a crossfire situation, and to allow other team members to assist **[TRANSCRIBED INTERVIEWS, DEPUTY JASON PHILLIPPI'S IAB INTERVIEW, PAGES 13-16]**.

IAB Note: **Deputy Phillippi marked Deputy [redacted] position, and his position when he first arrived to the dumpster. In addition, he marked his position when he moved to the west side of the dumpster to avoid a crossfire situation [EXHIBIT J, PHOTOGRAPH 1].**

Deputy Phillippi holstered his weapon when he could no longer see the suspect, and had his flex-cuffs ready to handcuff the suspect when needed. Deputy Phillippi explained that this situation could have been handled as a barricaded suspect, but since Deputy [redacted] already had eyes on the suspect, it was safer to engage at that point. Deputy Phillippi said Deputies [redacted] and [redacted] continuously ordered the suspect to show his hands for what seemed like an "eternity," but was probably twenty seconds. Since the suspect failed to comply with their commands, Deputy [redacted] lifted his canine, and helped the dog into the dumpster.

Deputy Phillippi said that putting the dog into the dumpster was similar to putting the dog into a vehicle, small room or shed a suspect was hiding in, and was considered normal procedure. Deputy [redacted] then gave his canine the command to bite the suspect. Deputy Phillippi heard the commotion inside the dumpster, and believed the dog was biting the suspect. However, he could not actually see the dog biting the suspect, and the suspect did not make any noise. In addition, Deputy Phillippi did not see any deputies punch the suspect. He also said the suspect could not have been handcuffed while inside the dumpster **[TRANSCRIBED INTERVIEWS, DEPUTY JASON PHILLIPPI'S IAB INTERVIEW, PAGES 16-21 and 25]**.

When Deputies [redacted] and [redacted] reached into the dumpster, and began pulling the suspect out, Deputy Phillippi moved further west of the dumpster. The suspect remained in a "bundled-up," fetal type position, and was "tensed up" as Deputies [redacted] and [redacted] took him down to the ground onto his knees, and tried to force him down. In addition, the dog continued biting the suspect's left arm. Deputy Phillippi heard the "clunk" of a metal object hit the ground, followed by the word, "Gun." He then saw a "big revolver" on the ground below the suspect. The suspect reached down with his right hand, and grabbed the gun. Deputy Phillippi started to draw his weapon because he believed the suspect was going to kill him since he was standing in front of the suspect. However, when the suspect lifted the gun, Deputy Salazar shot him in the head before he could point the gun at anyone. Deputy Salazar stood two to three feet away from the suspect when he shot him, and Deputy Phillippi stood five to six feet from the suspect. The team was not in a crossfire situation during the shooting. In addition, the team did not have cover or concealment available **[TRANSCRIBED INTERVIEWS, DEPUTY JASON PHILLIPPI'S IAB INTERVIEW, PAGES 21-27]**.

IAB Note: Deputy Phillippi marked his position, the suspect's position as well as Deputies [redacted], Salazar and [redacted] positions during the shooting [EXHIBIT J, PHOTOGRAPH 2].

<u>WITNESS EMPLOYEE DEPUTY MICHAEL GRANEK</u>

On August 25, 2015, IAB Sergeant Brenda Gibson interviewed Deputy Granek via telephone. Deputy Granek chose not to have representation during the interview. The following is a summary of the IAB interview:

Deputy Granek was assigned to the Los Angeles County Sheriff's Department's Aero Bureau, and was the pilot in Air 7 during this incident. However, he could not recall who his observer partner was. He responded to the area at approximately 0615 hours, during daylight hours, and did not witness either shooting. Deputy Granek orbited the area from 500 feet above. He said it was a very tight area between the buildings, and the buildings blocked their view during the majority of the orbit. When Deputy Granek heard someone announce, "Shots fired," over the radio, he went from a wide orbit to a tight orbit over the area the shooting took place.

Deputy Granek could not recall if he saw the suspect being pulled out of the dumpster or if the suspect was already on the ground, but believed he saw the gun on the ground next to the suspect **[TRANSCRIBED INTERVIEWS, DEPUTY MICHAEL GRANEK'S IAB INTERVIEW, PAGES 2-6]**.

The helicopter was equipped with an infrared camera, but Deputy Granek could not remember if his partner used the camera. According to Deputy Granek, the camera does not work well during daylight hours because of the thermal loading. He explained that the camera measured heat sources, and created a picture based on surface temperatures of what the camera was looking at. For example, if a suspect was hiding inside a dumpster, the camera would record the temperature of the dumpster, but not the suspect hiding inside. The camera cannot see through material **[TRANSCRIBED INTERVIEWS, DEPUTY MICHAEL GRANEK'S IAB INTERVIEW, PAGES 3-4]**.

WITNESS EMPLOYEE DEPUTY JOHN O'HARA

On September 3, 2015, IAB Sergeant Brenda Gibson interviewed Deputy O'Hara via telephone. Deputy O'Hara chose not to have representation during the interview. The following is a summary of the IAB interview:

Deputy O'Hara is a twenty-eight year veteran of the Los Angeles County Sheriff's Department, and has been assigned to Aero Bureau for fifteen years. During this incident he was the observer on Air 7. He believed his pilot was Deputy Jeff Jones, but stated his pilot could have been Deputy Michael Granek. Deputy O'Hara said they responded to the Walnut Park area to assist SEB deputies with the search of an armed suspect who was involved in a shooting with Transit Policing deputies. As an observer, Deputy O'Hara was responsible for operating the police equipment which included radios, infrared cameras, and the GPS system. Deputy O'Hara was also responsible for coordinating with his pilot, and interacting with ground units **TRANSCRIBED INTERVIEWS, DEPUTY JOHN O'HARA'S IAB INTERVIEW, PAGES 2 and 3]**.

According to Deputy O'Hara, it was dark when they responded to the area to assist. He used the infrared camera to search for the suspect. He did not use the infrared camera on the dumpster, and did not know the suspect was hiding there. Deputy O'Hara explained that if he had used the infrared camera on the dumpster, the camera would have recorded the suspect's heat signature if he was leaning against the inside wall of the dumpster. He further stated that the infrared camera was not an x-ray machine, and did not have the capability to see through items. Deputy O'Hara did not witness deputies use force on the suspect, and he did not witness the shooting. After he heard a deputy state via radio that a deputy involved shooting had occurred, they orbited the area of the shooting from 500 feet above. Deputy O'Hara saw ESD paramedics rendering aid to the suspect, who was lying face up on the ground, with a large revolver over the left side of his head **[TRANSCRIBED INTERVIEWS, DEPUTY JOHN O'HARA'S IAB INTERVIEW, PAGES 3-6]**.

IAB Note: **According to the Aero Bureau AM Shift In-service dated Saturday, August 9, 2014, Deputy Granek was the pilot in Air-7, and Deputy O'Hara was his Tactical Flight Deputy [MISCELLANEOUS DOCUMENTS].**

REVIEW OF RADIO TRANSMISSION

The following is a synopsis of the recorded radio transmissions during this incident. Additional information, and precise wording may be obtained by reviewing the audio recordings included with this case **[EXHIBIT C, COMPACT DISC LABELED RADIO TRAFFIC]**.

On August 9, 2015, at 0411 hours, Deputy Butts advised via Transit Policing Division's emergency channel that he had been involved in a shooting at Pacific Avenue and Grand, and was in foot pursuit of the suspect. SCC acknowledged, but stated "Pacific and Glad 998," and requested a unit in one or less. Deputy Butts advised he was heading eastbound on Grand, and SCC acknowledged stating eastbound on "Glad." Deputy Butts stated he was pursuing a Male Hispanic wearing a blue shirt, and blue jeans. He stated he was still eastbound on Grand. SCC acknowledged stating eastbound on "Glad," and requested a unit in one or less to "Pacific and Glad."

Deputy Butts advised he had the suspect in sight, and needed at least two units "Code." He then stated he was headed northbound on Seville. SCC acknowledged stating northbound on "Deville." SCC advised Century Station was now patched in with TSB regarding the 998 at "Pacific and Glad." SCC also advised the suspect was last seen going northbound on "Deville," and requested a TSB or Century unit in one or less Code 3. SCC then requested any TSB or Century unit Code 3 to "Pacific and Deville." An unidentified unit transmitted over Deputy Butts requesting a better location. SCC asked 685A his cross street on "Deville," and asked him to confirm it was "Glad." SCC then requested any TSB or Century Unit to respond Code 3 in the area of "Deville or Glad." Deputy Butts responded Seville and Grand.

SCC acknowledged "Deville and Graham." 216H stated he was responding in two. SCC acknowledged. SCC asked if Unit 600S was responding. 600S, Sergeant Judy Hebb, advised she was responding from the ROC (Rail Operations Center). SCC requested an additional TSB unit to respond Code 3. 683A acknowledged he was responding from Lakewood Passenger Station. SCC acknowledged that multiple units were responding then asked 685A if anyone was hit. Deputy Butts responded he was hit in his right arm. 216H stated Pacific and Grand, then asked for a suspect description, and if the suspect was outstanding. SCC responded the last seen was "Graham and Deville," and that 685A was in foot pursuit of a Male Hispanic in a blue shirt and blue jeans. SCC then asked 685A only to repeat his radio transmission. Deputy Butts responded that he wanted to set up a containment for the suspect who was last seen running northbound on Seville Avenue from Grand. Deputy Butts also advised he was at Seville and Hope. SCC requested a unit for a containment.

At 0414 hours, SCC acknowledged that a unit was responding Code 3 from the station. SCC then asked 685A if all deputies were accounted for. 685A confirmed that he was at Seville and Hope, and wanted to get a containment established. He also said he had been hit in his right arm, but was okay. SCC acknowledged, and responded that rescue was responding. Deputy Butts advised the suspect was last seen running from Grand to Seville, and that he did not know if the suspect was hit or not. SCC acknowledged and requested any unit for a containment.

At 0415 hours, Deputy Butts stated the car was at Grand and Pacific, and was still running. SCC requested a unit to secure the vehicle. SCC requested a unit to secure the vehicle at "Grand and Central," then corrected herself and stated, "Grand and Pacific." An unidentified unit transmitted unidentified traffic. SCC responded you are on the patch. An unidentified unit asked for the last seen location and direction the suspect was headed. SCC requested 685A to respond.

At 0417 hours, an unidentified unit asked for a repeat description of the suspect. SCC responded Male Hispanic, blue shirt, and jeans. Deputy Butts responded a plaid blue shirt and jeans. He also said it was a known suspect and he had to get back to his car. SCC acknowledged plaid blue shirt and jeans. An unidentified unit asked the handling unit a last seen other than northbound, and asked if the suspect went east or west on any of those streets. Deputy Butts responded the suspect had to still be in the area because he did not see him go east or west from Pacific and Grand. SCC responded Century was getting a call that they saw the suspect at State Street. 216H advised he was Code 6. 600S advised she was Code 6. 216S advised he was Code 6. An unidentified unit stated he was going to set up a Command Post at Pacific and Florence.

REVIEW OF VIDEOS

Deputy Brian Deruyter, assigned to the Los Angeles County Sheriff's Department's Technical Operations Detail, recovered video from the residence located at [redacted]. The residence had two video cameras mounted on the [redacted] of the residence. The cameras pointed [redacted] to Grand Avenue **[EXHIBIT A, PAGES 32, 53, 54 and EXHIBIT C, DVD LABELED 2668 GRAND AVENUE]**.

Camera 1:

At 04:12:32, the video footage showed the suspect running east on the north sidewalk of Grand Avenue.

At 04:12:34, the suspect fired his weapon towards the ground as he continued running on the north sidewalk, and out of view.

At 04:12:49, the video footage showed Deputy Butts running east on the north sidewalk of Grand Avenue.

At 04:13:00, Deputy Butts ran out of view from this camera.

Deputy Butts continued to Seville Avenue where he went north, and out of view

Camera 2:

At 04:12:13, the video footage showed a white 4-door vehicle backing east on Grand Avenue towards Seville Avenue.

At 04:12:31, the video footage showed the suspect running east on Grand Avenue on the north sidewalk.

At 04:12:42, the suspect ran out of view from this camera.

At 04:12:54, the video footage showed Deputy Butts running east on Grand Avenue on the north sidewalk. He then ran north on Seville Avenue and out of view.

A review of the DVD labeled Cell Phone Video depicted SEB personnel responding to the location of the secondary shooting. The video did not capture the incident **[EXHIBIT A, PAGE 48, and EXHIBIT C, DVD LABELED CELL PHONE VIDEO]**.

A review of the DVD labeled Boost Mobile Video depicted camera views from 16 angels from a business located at [redacted] The time frame of the recordings was 0355 hours- 0416 hours. Cameras 1-7, as well as 15 and 16 were too dark to see anything. Cameras 8-13 did not capture the incident **[EXHIBIT A, PAGE 40, and EXHIBIT C, DVD LABELED BOOST MOBILE VIDEO]**.

ADDITONAL INFORMATION

Homicide Investigator Donna Cheek and Sergeant Gean Okada interviewed Mr. [redacted] at his residence. Mr. [redacted] lived at [redacted], which is the property located on the [redacted] side of the [redacted], where the SEB shooting occurred. Mr. [redacted] bedroom was on the west side of his house. Mr. [redacted] heard someone yell, "He's got a gun!" followed by a loud bang. He did not witness the shooting **[EXHIBIT A, PAGE 80]**.

IAB Lieutenant Weber checked to see that Watch Commander, Lieutenant [redacted], took reasonable steps to ensure that the involved parties and witnesses did not discuss the incident amongst themselves or with uninvolved persons prior to being interviewed by the assigned investigators. Lieutenant Weber also ensured that Lieutenant [redacted] knew that the aforementioned parties should not collectively consult with their attorney or representative. In addition, IAB Lieutenant Weber checked to see if Lieutenant [redacted] attempted to have the involved parties and witness personnel gather in the company of a supervisor until they provided a statement to the assigned investigators.